

William R. Hall, to be postmaster at Maynard, in the county of Middlesex and State of Massachusetts.

Frederick B. Horne, to be postmaster at Framingham, in the county of Middlesex and State of Massachusetts.

W. O. Fuller, jr., to be postmaster at Rockland, in the county of Knox and State of Maine.

Osmon B. Warren, to be postmaster at Rochester, in the county of Strafford and State of New Hampshire.

John T. Welch, to be postmaster at Dover, in the county of Strafford and State of New Hampshire.

William Parsons, to be postmaster at Rockport, in the county of Essex and State of Massachusetts.

Denny K. Jewell, to be postmaster at Hallowell, in the county of Kennebec and State of Maine.

Hardy C. Fryer, to be postmaster at Blakely, in the county of Early and State of Georgia.

Horace French, to be postmaster at West Lebanon, in the county of Grafton and State of New Hampshire.

Luther H. Morrill, to be postmaster at Tilton, in the county of Belknap and State of New Hampshire.

Lewis H. Baldwin, to be postmaster at Wilton, in the county of Hillsboro and State of New Hampshire.

Ellsworth F. Pike, to be postmaster at Franklin Falls, in the county of Merrimack and State of New Hampshire.

Henry C. Minnie, to be postmaster at Eaton Rapids, in the county of Eaton and State of Michigan.

John D. Smead, to be postmaster at Blissfield, in the county of Lenawee and State of Michigan.

Charles W. Siglinger, to be postmaster at Webster, in the county of Day and State of South Dakota.

## HOUSE OF REPRESENTATIVES.

FRIDAY, May 9, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

### SENATE AMENDMENTS CONCURRED IN.

The SPEAKER laid before the House amendments of the Senate to House bills of the following titles; which were respectively read, and, on motion of Mr. BROMWELL, concurred in:

A bill (H. R. 8007) granting an increase of pension to James W. Lewis;

A bill (H. R. 12552) granting a pension to Erwin A. Burke, alias B. A. Erwin; and

A bill (H. R. 11850) granting an increase of pension to Susan A. Volkmar.

### DIPLOMATIC AND CONSULAR SERVICE OF CUBA.

The SPEAKER also laid before the House the amendments of the Senate to the bill (H. R. 13996) making appropriations for the diplomatic and consular service of the republic of Cuba; which were read.

Mr. HITT. Mr. Speaker, I ask that this bill be permitted to lie on the table for a time, so that we may see whether we can agree without a conference.

The SPEAKER. Without objection, that will be done.

There was no objection.

### ADMISSION OF OKLAHOMA, ARIZONA, AND NEW MEXICO.

Mr. KNOX. I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. HEMENWAY in the chair) and resumed the consideration of House bill 12543.

The CHAIRMAN. The pending question is upon an amendment offered yesterday by the gentleman from Indiana [Mr. OVERSTREET].

Mr. OVERSTREET. I ask that the amendment which I proposed just before the committee rose last evening be now read.

The Clerk read as follows:

Strike out section 19 and insert in lieu thereof the following:

"SEC. 19. The inhabitants of all that part of the area of the United States now constituting the Territories of New Mexico and Arizona as at present described may become a State under the name of Montezuma, or such name as may be finally determined by the convention to be elected under this act."

Mr. OVERSTREET. Mr. Chairman, the purpose of this amendment is to consolidate the two Territories of Arizona and New Mexico and admit them as one State. The amendment is offered with the view of benefiting the people of those two Territories, as well as bringing them into the Union upon such a basis as will make their representation in Congress bear some fair relation to

their population. The actual population of the two Territories of Arizona and New Mexico is to-day, as shown by the census report, more than 100,000 less than that of the Territory of Oklahoma. The aggregate area of Arizona and New Mexico is less than the area of the State of Texas. It seems to me, therefore, that the consolidation of these two Territories and their admission as one State will give us a State with a population in proportion to the area of the State, and will still leave that State on a fair basis with respect to the other States of the Union.

I believe, Mr. Chairman, that a mistake which an earlier Congress may have made by the admission of a State with a small population, with the possibility of that population lessening, will not justify a mistake of similar kind by this Congress. The State of Texas, under the authority granted at the time of her annexation, would be permitted to-day to divide her territory into five States, giving her ten instead of two Senators, and yet the people of that great State, appreciating the power of a great State rather than to reduce their power by five separate divisions, have never intimated their intention to carry out the authority in the terms of the annexation.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman permit an interruption?

Mr. OVERSTREET. Yes.

Mr. STEPHENS of Texas. I admit you are correct in the division of the State of Texas, because we have no natural barriers there to separate the State, and no man in Texas would be in favor of dividing it. We are all proud of the State, we are proud of its size and condition; but there is a natural barrier between Arizona and New Mexico in this, that the Rocky Mountains form two different, separate territories, and that the one watershed has a center of population in Arizona hundreds of miles away from the center of population in New Mexico, and there is no place where a capital could be located that would be convenient to both of those peoples.

Mr. OVERSTREET. The gentleman has given evidence in support of the proposition which I was about to express, which was that there would not be a voice raised to-day in the State of Texas favoring her division, and I believe faithfully, Mr. Chairman, that if the people of the two Territories of Arizona and New Mexico could follow the example of the people of Texas and within ten years be given an opportunity to express themselves they, too, would refuse a division of their territory. The area of these two Territories contains more waste land, untillable land, than the State of Texas to-day contains. The Territory of Arizona was, until within recent years, a part of the Territory of New Mexico. Gentlemen object to such consolidation on account of the mountainous conditions, and yet there are States, like the State of Washington, which are already divided by that same mountain range.

Gentlemen further complain that it would require distant travel to the courts, and to the seats of government. That same travel will be necessary if the two Territories are given two distinct separate governments. The courts go to the people and not the people to the courts, and if you have one State instead of two carved out of this area, the courts would still be established in those localities where the business of the people justified their creation. If two State governments are to be maintained by these people the expenses alone incident to their cost would justify the consolidation, so as to eliminate one-half of those expenses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KNOX. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the time of the gentleman from Indiana be extended five minutes. Is there objection?

There was no objection.

Mr. OVERSTREET. Mr. Chairman, the same advantages which will be granted to the people themselves by two separate State governments would still be enjoyed by the people under one State government. We are carrying out every pledge that either party has ever made in giving to these people the privilege of home rule and of self-government under the rules governing State organizations. There is not an advantage which has been enumerated by the most enthusiastic friends of this measure which they will not enjoy under this proposed amendment. They will escape the disadvantages of increased expenses, and enjoy the same advantages under one form as under two distinct forms of statehood. The only additional plea which any man can suggest is that it doubles the number of offices to be held by her citizens.

The people who will pay the taxes and discharge the obligations of their State are not to be denied the right of reduction of those expenses under fair and favorable conditions. I repeat, Mr. Chairman, that the total population of these two Territories will not make a State any larger in population than is necessary to carry on the internal improvements which they will enjoy. It is fair to say that the distribution of the burden of the obligations of the two Territories should be equitably adjusted, but that is a

detail of legislation which can easily be carried out. If, therefore, Mr. Chairman, you will take into account the real interests of the people of these two Territories, looking at it from a plain business standpoint, surrounded by the circumstances under which States are ordinarily admitted, you will be forced to the conclusion that the consolidation of these two Territories into one State is the wise thing to do. [Applause.]

Mr. BALL of Texas. Mr. Chairman, the gentleman from Indiana [Mr. OVERSTREET], while he is a devotee of sound money, is not, evidently, an advocate of sound politics. As I understand, all the political parties, especially the two great political parties—the Republican and Democratic—in their national platforms have promised statehood to the Territories of Oklahoma, New Mexico, and Arizona. The gentleman from Indiana now announces the novel proposition of combining two of these Territories and admitting them as one State.

The gentleman from Indiana [Mr. OVERSTREET] has had a great deal to say about the bad faith of redeeming our obligations in 50-cent dollars; but doubtless he thinks that to keep a Republican platform promise at 50 cents on the dollar is more than ought to be reasonably expected of his party.

Mr. Chairman, I am in favor of the admission of all these Territories as States. They have sufficient area, their population justifies it, the character of their citizenship warrants it, and the standard of representation they have always had upon the floor of this House justifies us in saying that the best interests of our country and the general welfare of all the people will not be menaced by giving statehood to these Territories.

A great deal has been said about the injustice to great States like New York, Pennsylvania, and Texas as the result when these Territories, with comparatively limited populations, are admitted to equal voice and equal vote upon the floor of the United States Senate. But, Mr. Chairman, in my judgment, the country will not suffer by the infusion of the hardihood, patriotism, and the manhood that will come from those Territories to the Senate of the United States when we have admitted them as States. The country west of the Mississippi has never suffered by comparison of its Senators with the representatives upon the floor of the United States Senate coming from the great populous States of the East. It is true that this Western territory has never resurrected from the crustacean period and sent to the Senate a creature of the corporations to perpetrate stale jokes upon the members of that body when no longer adapted to banquet halls and when age is a barrier to activity as a lobbyist and late hours.

No man has come through the "providential" route into the United States Senate from States carved from the Territories in the West. No Western State, however small, has representation in the Senate inferior to the States of New York, Pennsylvania, and New Jersey. Gentlemen lose sight of the fact that it is not a question of pro rata population when representation in the Senate is considered. The preservation and protection of the sovereignty of the States was the consideration which prompted the "fathers of the Republic" to give to little Rhode Island and to Delaware equal representation in the Senate with the greatest and most populous Commonwealths. Delaware, to her credit, refuses to accept the methods by which some of the States have elected Senators, but prefers to be unrepresented upon the floor of the Senate rather than to have Senators elected in the manner that has characterized some of the greater and more powerful States. Six Senators will come from these Territories as the representatives of the sovereignty of their States, and there can come no harm to this country in having the body at the other end of the Capitol swelled by an infusion of the manhood and patriotism that come from beyond the Mississippi River. The standard may be raised there; it can not be lowered. Texas is not jealous for fear her importance will suffer by giving statehood and Senatorships to the Territories. Texas does not choose to divide herself up, because her history is common to us all, and we glory in a patriotic citizenship having common interests and harmonious relationships.

Texas was a republic before she sought entrance into the sisterhood of States. Our public domain and common-school funds are a joint heritage, and as the years go by and population justifies, we are satisfied to have the advantage upon the floor of this House that comes from a large membership, such as the States of New York and Pennsylvania have; and so far as we are concerned, we are not afraid to give New Mexico and Arizona and Oklahoma the right of statehood, no matter what the politics of their Senators may be. Capital will then go there and develop their resources, and their citizenship will realize the fulfillment of long-delayed promises. In violation of the treaty obligations of the United States when the Territories were acquired, they have been kept from the statehood to which they have long been entitled and which the political parties of this country have promised them time and again. I know that, so far as the gentlemen upon this side of the Chamber are concerned, we believe in keeping our promises that we make to the people. The Democratic party

stands here ready to carry out that platform promise, and pledged to give its solid vote for the admission of these three Territories as three sovereign States, and we are not going to put them off with Trojan horses, such as the gentleman from Indiana offers because he is not in favor of statehood for those Territories; and it would be more manly if they would all adopt the frankness of the gentleman from Ohio [Mr. GROSVENOR], who opposes the bill because he is afraid that perhaps some of the new States may go against his political party, and therefore he is against their admission.

[Here the hammer fell.]

Mr. LACEY. Mr. Chairman, I am heartily in favor of the admission of the region covered by New Mexico and Arizona into the American Union as a State. I think they should constitute one State, but would vote for the two States if the bill can not be so amended. They have had the tutelage of Territorial government long enough. Both political parties have in their platforms pledged themselves to the admission of these Territories; but the question as to how it shall be done is a matter for Congress to decide upon, and the proposition of the gentleman from Indiana [Mr. OVERSTREET] is more in the interest of Arizona than the original bill as reported by the committee. Take the State of Texas, for example. In order to admit Texas into the Union in 1845 the pledge had to be given to permit her division into five States; and yet to-day there is not a man, woman, or child in Texas who would consent to the setting apart of a single additional State out of that vast area. Texas has 30,000 square miles more territory than New Mexico and Arizona combined—235,600 square miles in both Territories, as against 265,780 square miles in Texas.

New Mexico and Arizona had to be divided into two Territories for governmental purposes when there were no railways, when they were inaccessible to each other. To-day those two Territories are closer together and more conveniently accessible than the different parts of the small State of Connecticut were when, in the days of slow transit, that State was constituted a part of the Union. You can now go from one corner of New Mexico to the opposite corner of Arizona in a few hours. It is said that the Territories are separated by mountain ranges. The mountains do not divide those Territories, but rather they unite them. They are not in the way. The railways open up and intersect the entire country, making it easily and speedily accessible to all. We had the same question years ago in regard to the capital of the nation. It was argued that it must move west in order to be near the center, but the railroads have destroyed distance and made time no longer a serious matter in going from the confines of our land to the nation's capital. So the railroads have annihilated time and space in New Mexico and Arizona.

They tell us that Arizona is ready for separate admission. There are only 98,287 white people in Arizona, according to the census of 1900, and 24,644 Indians untaxed. The Indians are not an asset; they are a liability. Take the entire population of Arizona and New Mexico, and leaving out the Indians not taxed, they lack 5,000 of having as many people as there are in the city of Milwaukee. Who would think of giving to Milwaukee four United States Senators? The proposition now is to give Arizona two Senators. The gentleman from Texas [Mr. BALL] cites Delaware as an example. Yes; look at Delaware! You must ask the proprietor of the gas works whether Delaware can be represented in the Senate at all. That is a striking instance of the disadvantages of a small State, a State about which Senator Ingalls once said at low tide it had three counties and at high tide it had only two. [Laughter.] Now, we do not want any more of these little boroughs that a couple of corporations will divide between them into two Senatorial districts, but give us New Mexico and Arizona together, and let them be made into a State and elect the present Delegates as Senators and they would make a magnificent pair.

Mr. RODEY. To draw to. [Laughter.]

Mr. LACEY. The gentleman says "to draw to." [Laughter.] I do not know exactly what he means by that [laughter]; but gentlemen know that the people out there would have no need of additional Senators if they should have these two. Then we would have a really splendid State. You must remember that they have a great deal of "area" and not enough land in Arizona and New Mexico. Much of it does not rise to the dignity of being called land. I have frequently visited both Territories. I went through Arizona the first time some years ago, and when I looked out of the car windows while we were going through the worst part of that Territory I said to an Arizonian behind me: "My friend, what did God make this country for?" He replied: "Stranger, that is where you are off. God Almighty didn't never make no such a blankety blank country as this." [Laughter.] But another sitting behind me said: "There is where you are mistaken. God did make this country. This country was necessary in order to hold the world together. It had to be here, and if it had not been made the world would have broken in two at this place." [Laughter.] That was a legitimate illustration



of the condition of the waste parts of Arizona; and yet Arizona has some places that are so fair to look upon that paradise itself would scarcely be an improvement. Arizona has some rich land and the most delightful climate the lungs of man ever inhaled. It has a vast area. Area is what is the matter with it. That is not an element of strength. The gentleman from Arizona tells us that there are 75,000 settlers so scattered out in that Territory that they could not be found by the census enumerators.

Joaquin Miller, a lover of Arizona, pictured some of the desolate regions to which I refer:

How broken plunged the steep descent!  
How barren! Desolate and rent  
By earthquake shock, the land lay dead,  
Like some proud king in old time slain,  
An ugly skeleton, it gleamed  
In burning sands. The fiery rain  
Of fierce volcanoes here had sown  
Its ashes burnt and black and seamed  
With thunder strokes and strewn  
With cinders.

In his graphic way he describes old ruins of prehistoric ages on the shores of extinct seas:

Of ruins older than the East  
That time had eaten, as a bone  
Is eaten by some savage beast.

It is the great area of land that may not be irrigated that must in future hinder the growth of this vast region, and we must look at the facts as they really are in carving a new and sovereign State out of this territory. The fertile and irrigable valleys will be occupied. The minerals will give employment to many miners; the arid grazing land will furnish food for many cattle, horses, and sheep. But it is a mistake to assume that these dry and elevated regions will be populated like Oklahoma. The population of necessity must always be widely scattered.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KNOX. I ask unanimous consent that the time of the gentleman may be extended for five minutes; but I wish to be permitted to state that I was admonished by the Speaker that we were trespassing upon the time of the Pensions Committees, and so far as possible it is our desire to have a vote upon this bill as early as we can. If I had the time, I would be glad to extend the time unlimited for debate, but in this instance I will ask unanimous consent that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the time of the gentleman from Iowa may be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LACEY. Now, Mr. Chairman, this proposition is in the interest of Arizona. It is for the good of Arizona more than it is in the interest of anybody else. Arizona is now readily accessible to New Mexico. The two were formerly associated together as one Territory. They do not have the population to-day sufficient to make it desirable to erect them into two States. They have population enough for one. To admit Arizona now into the Union as a single State, the population is too small and the expenses of the State government will fall too heavily upon her. The same thing is true as to New Mexico, although not in so great a degree. There are no politics in this proposition. One of these Territories is Democratic and the other is Republican. And, indeed, it will be an even question as to which of the old political parties will control the single State. If Arizona is not taken care of in the present bill, it stands here as a constant menace to the Senate of the United States, demanding two Senators with only about a hundred thousand people. In this proposition neither New Mexico or Arizona is named, and the name of New Mexico is dropped. They want to get rid of the word "Mexico," and Arizona would be glad to get rid of the word "Arizona," because it means a "dry zone or place."

Mr. SMITH of Arizona. Where did you get all that?

Mr. LACEY. By long association with my friend from Arizona. The word "Arizona" as a name is a bad advertisement. You get rid of the word "Mexico" on the one hand and "Arizona" on the other and bring in a grand, splendid State of "Montezuma," one that would be a good companion piece to her next-door neighbor, the great State of Texas, instead of having slenderly populated boroughs, where capital could select and make United States Senators; in which you would have a single State great enough and strong enough to become a potent factor in the affairs of the nation.

I know that my friend here [Mr. SMITH of Arizona] would prefer a division. His personal ambition may be gratified, and if the State is admitted into the Union it will be and ought to be gratified, for a more able gentleman in the Territory could not be found to represent it. [Applause.] But it does not necessarily follow, as much as we love him, that we should, for all time to come, have another Nevada in the American Union, a Nevada that was admitted full of promises and hopes, and yet to-day it has only 42,000 people and they have one Congressman and two Senators

in the United States, able and estimable gentlemen, I grant you, but what and whom do they represent? Area! Aridity! Area! One hundred and ten thousand seven hundred square miles of area and aridity. It should not be a question of mere area. When you admit a large area of country you must take into consideration what are the future capabilities of that area, and that it is an element of weakness in this proposition in making two States out of these two countries.

Mr. ROBINSON of Indiana. Does the gentleman wish to go on record that New Mexico and Oklahoma will ever become States in the condition of Nevada?

Mr. LACEY. I think and hope not; but we ought to take due care that we do not make that mistake again. This State, composed of two Territories, would make a powerful and splendid State, and these gentlemen should not be here apologizing and claiming that in each proposed State there were 75,000 people who were not enumerated, because they were so badly scattered that they could not be found by the census takers. That is the explanation made as to the small population of these two Territories. They say there are many more people in them, but they were so widely scattered that the census takers could not find them at 3 cents apiece. At \$3 apiece they could not find many more.

Mr. Chairman, here we have a plain proposition in the interest of both of these Territories, to lighten the burdens of statehood by allowing one State instead of two. They have the whole country gridironed with railways.

Mr. LANDIS. Will the gentleman allow me an interruption?

Mr. LACEY. Yes.

Mr. LANDIS. The gentleman speaks of the omission in taking the census in Arizona and New Mexico. Does not the gentleman from Iowa know that the enumerators were paid \$5 a day there instead of 3 cents apiece?

Mr. LACEY. I was not aware of that fact, but even at \$5 a day a man could not afford to carry his supplies with him in some parts of that country and beat about the bush in search of population. It is not to be wondered at that many escaped the census taker. I have no doubt the figures are somewhat inadequate, but the fact remains that the area we have heard so much about is the worst thing that we have to contend with. There is too much barren area and too little population. They would conserve their own best interests by coming in as a single State. The new State of Montezuma would only have about 50 per cent more area than California or Montana. Montezuma would have 235,600 square miles; Montana has 146,080 and California 158,360 square miles. Colorado has 103,925 square miles, Oregon 96,030, Nevada 110,700, and Wyoming 97,890.

Let us provide for a strong and wealthy State instead of two feeble ones. Let us profit by the mistakes in this respect made in the past. [Applause.]

Mr. RODEY. Mr. Chairman, the Territories of New Mexico and Arizona ought to know more about what they want than the gentleman from Indiana and the gentleman from Iowa. The Delegates from these two Territories ought to know better what the people of these two Territories want than do the gentlemen named. We ought also to know the topography of the country, and the conditions there. With the permission of the House I will state some of them. We also ought to know the sentiments of the people on this question.

Arizona does not want to be joined to New Mexico. It has forty years of its own history behind it; it has its own county debts; it has its own municipal debts; it has its own Territorial debt. It has an area as large as New York and New England combined, and you can throw New Jersey in when sizing up to the area of New Mexico.

The surface ground of New Mexico is more like the State of Colorado, only it has more fertile valleys in it. It is not the class of country that the gentleman from Iowa has referred to. When people go out over that country, they, like the gentleman from Iowa, go over the northern end of Arizona, and see the worst end of it. They never look down into the vast green valley where Phoenix is situated, the like of which can not be found in the Union. When they travel over New Mexico they see only a glimpse; they never go down to the valley of the Rio Grande; they never go down into the valley of the Pecos, where there are tracts as large as any Eastern State that is splendid farming ground, but, because, forsooth, they have traveled over the arid portion in one corner of the Territory they say: "Oh, it is a desert."

Why we have timber tracts in New Mexico bigger than some of the States. Now, New Mexico does not want to be tied to Arizona, and its people are opposed to this amendment. We would never adopt a constitution under such a bill. We have fifty-six years of American history behind us in New Mexico, and one hundred and fifty years of history before that, during which the Territory was not disfranchised either. We do not want to be tied to Arizona, with the Rocky Mountains between us. Arizona is on the Pacific slope, New Mexico is on the Atlantic

slope of the continent. We admit that it is easier to travel in these Territories now than in former times, as stated by the gentleman from Iowa, but it takes twelve or fifteen hours of railroad travel to get to the capital of either Territory from most parts, and days from other parts.

You gentlemen living in New England can go in a night from this capital to your homes in your district, but in New Mexico to travel to the capital of Arizona you can not do it in much less than thirty-six hours, even now, because there is only one railroad through that region either way—the Santa Fe Pacific on the north and the Southern Pacific on the south. In going from one of these Territories to the other, from New Mexico to Arizona, you must either go via Prescott Junction or the other way, from Maricopa clear around by Deming. Either way it is a great distance from one Territory to the other. The conveniences for making the transit are scarcely more now than they were in 1863, when Arizona was cut off from New Mexico. It is utterly impossible to have convenient communication between them; at least it is so now.

Gentlemen tell us about the census of New Mexico and Arizona. I have tried to make that matter plain to this House. I have shown that the census was not correctly taken either in New Mexico or Arizona. The gentleman from Iowa admits there are errors to a small extent; that there are perhaps a few more people there than the census shows. I contend that there are nearly twice as many people in New Mexico as are shown by the census. As I stated on this floor the other day, the last report from the registration of voters, two years ago now, showed 60,000 registered voters, and a recent school census shows 70,000 pupils enrolled in the public schools. Yet they give us only 195,000 people in the census books. Why, sir, the parents of those 70,000 pupils if they had but one child per family would number about 140,000, making, with the pupils themselves, 210,000 people. The rule that you can count five people to one voter, I state from personal knowledge, is as true in New Mexico as anywhere. Such facts as that prove our contentions.

To this bill the gentleman from Indiana [Mr. OVERSTREET] proposes to tack this amendment. Surely he has never looked at the bill or he would not make such a proposition. Adopt this amendment and you kill the whole bill then and there. It is not adapted to any such amendment. It contains any number of sections that have no application to any such a proposition. If such an amendment were adopted, you would have to remodel the whole bill from beginning to end. Surely the gentleman has never read the bill or he would not have attempted to secure the adoption of such an amendment—an amendment the only effect of which must be to kill the bill; nothing else. That must be the object of the gentleman.

Gentlemen talk of the great State that the adoption of this proposition is to make out of us. Why, sir, there are in the United States Senate to-day gentlemen with whom I have had communication within a year past with reference to this measure and who advocate strenuously the proposition to divide New Mexico into two States and Arizona into two more, and they will urge that proposition when this bill goes over there. That is their project, to make two States out of each of these Territories instead of one out of the two.

The continental divide runs between New Mexico and Arizona, north and south. There is nothing in common between the people of the two Territories save their splendid Western spirit of enterprise. Such a provision as the gentleman from Indiana proposes would mix the conditions of these people in such a manner that they never could extricate themselves. I repeat, the adoption of the amendment would kill the bill. That is all there is about it, and I ask every friend of the measure on this floor to vote against it.

[Here the hammer fell.]

[Mr. SMITH of Arizona addressed the committee. See Appendix.]

Mr. OVERSTREET. Mr. Chairman, I wish just a word, and then I am ready for a vote. I shall not allow myself to be led astray by the gentlemen who have preceded me in undertaking to impugn my motives in the proposition I have suggested. This amendment has been offered by me in absolutely good faith. I shall not take up the time of the committee to try to defend my motive. It is not argument for gentlemen to charge insidious effort to defeat a measure; it is not argument to state we can not perfect this bill if this amendment should prevail. I have examined this bill very carefully, and in my four terms of experience I have had something to do with the drafting of laws; and I undertake to say in all fairness and belief that I am ready to put the statement to the proof that this measure, from the nineteenth section to its conclusion, can be amalgamated and whipped into shape after the passage of this amendment within less than an hour's time additional to that which would be required if you only read the bill and put it upon its passage. It is not a difficult matter to amalgamate the different sections of the measure relative to these

two Territories, and therefore that is not a serious nor an important criticism.

Gentlemen talk about the census not recording the number of their inhabitants. I have never heard of a community yet which has been entirely satisfied with the census returns concerning its own population, from the smallest hamlet in the country to an entire State. There always is a criticism that they have not been given all the credit which their population deserves. Now, Mr. Chairman, it is not an argument that there are distances in that section of the country. Those distances were there before these two Delegates moved to those Territories, and they will be there after these people are given statehood. Distances will not be changed by any law which we may make. I put the plea upon the basis that it is better for those people that they eliminate the double expense incident to two forms of statehood and that they take example from the great empire of Texas, which comes into this Union with more power by far than five States would bring if she should divide herself, as her constitution now prescribes.

Mr. Chairman, the very fact that we, undertaking in a fair way to give to these people what they are entitled to, notwithstanding the imputation of gentlemen that we are not meeting the pledges that we have made, to my mind is sufficient argument and reason why this amendment should prevail. It is not the States nor the Territories that your bill seeks to aid; it is the inhabitants of those sections which we seek to benefit by granting the right of statehood; it is the people of that section of our Government whom we propose to accommodate in the pledges of both parties to give them statehood. I have no intention to oppose this bill. It shall receive my support, but this amendment would leave it in a more perfect condition to the people of the two Territories. We shall not undertake to question the motives of these gentlemen who are insisting for two States, and it is unfair and unbecoming in them to impugn the motives of those of us on this side of the Chamber and some upon that who really believe that it will be an improvement upon the Government and upon the flag that these people come into this Union united into one State rather than to be divided into two.

Mr. STEPHENS of Texas. Will the gentleman yield to a question?

Mr. OVERSTREET. Yes.

Mr. STEPHENS of Texas. Does the gentleman think that the State of North Carolina and the State of Tennessee could be joined together without question, on account of the mountain range?

Mr. OVERSTREET. That is past. It could have been done. It can not now.

Mr. STEPHENS of Texas. Where would have been the capital, on the Atlantic coast or in the Mississippi Valley?

Mr. OVERSTREET. The question of capital is always one people interest themselves in. I am speaking for those people, and not for the prospective Senators or sites for capitals. The capital of Arizona, which she has builded, and that of New Mexico, which she has constructed, will be of material use in the arrangement of the new State for their State institutions.

Mr. KNOX. Mr. Chairman, I agreed with the distinguished gentleman from Indiana [Mr. OVERSTREET], who presented this amendment, that he should have the time that has been given him, and after a very few words to the committee I shall ask for a vote. I submit to the Republican side that here is this important proposition to consolidate two of our largest Territories, to take away the name of Arizona, to wipe that Territory from the map after a generation of existence as a Territory, set off from New Mexico by Congress upon solemn consideration more than a generation ago. During that time the people of Arizona have fought battles with the most savage tribes upon this continent; they have founded homes there; they have built institutions of learning; they have, architecturally, the most elegant statehouse at Phoenix that there is in the country; they have learned to take pride in the name of Arizona, and the people of New Mexico have learned to take pride in that name.

Now, I submit to every man upon this floor, is it fair to those people to take away their name, to wipe out their history, to join one with another without giving them a chance to be heard? This matter of statehood for these Territories has been pending and talked about here in Congress ever since last December. The gentleman from Indiana [Mr. OVERSTREET] and the gentleman from Iowa [Mr. LACEY] have never intimated to the committee that there was to be any proposition to unite these Territories. They have never given us a chance to hear the matter. They have never given us a chance to frame a bill for it. They come in here within two days with a proposition so radical that, while I do not charge for a moment that the gentleman from Indiana would offer an amendment for the purpose of destroying the bill, because I know him too well and I have too high a respect for him to believe that, yet the effect of the amendment must, it seems to me, be to defeat the bill.

Now, there is continual talk, and the gentleman from Iowa



[Mr. LACEY] has made a continual talk about Democratic Senators from Arizona and New Mexico. Such a course as this, if anything, would make Democracy triumphant forever in those Territories. [Applause.] Are you to say to the Republicans of Arizona and New Mexico, who have fought the battle of Republicanism in those two Territories and sent two Republican Delegates to this Congress, when they come here and ask for statehood, "You shall not have statehood and you shall not keep your Territory; we will wipe you off the map." Is that a fair return when they come asking bread? Oh, do justice to Arizona; do justice to New Mexico. If you can not give them statehood, then refuse it in a direct way. I agree that there are men in this House who oppose statehood for these Territories, and I respect their opinion; but the way to express that opinion is by voting against this bill, by voting against some one feature of it, by voting against Arizona, by voting against New Mexico. I agree there are two sides to this question, and I entertain the highest respect for the men who do not believe that the present is the time when these two Territories should come in; but do justice. Do not wipe the two Territories off the map simply because you do not wish to give them a State form of government.

Now, the people of Arizona and the people of New Mexico are entitled to some hearing. How is their voice expressed in this Congress? By two Delegates. Are we not bound to believe that they express the opinion of the people there when they say that the question of the uniting of these two States has never even been discussed there? There are a hundred daily publications in those Territories, all asking for statehood. In no single one of them has the project ever been broached of uniting the two into one State. Why, when this thing was started, about two days ago, my friend from Indiana [Mr. OVERSTREET] wished to get a caucus of the Republican party and then a conference. Some say the conference was held. Some say it was not. I do not know. I was not invited, but the result came about in suggesting Montezuma.

Mr. LIVINGSTON. Mr. Chairman, I ask that all debate on this amendment be closed.

Mr. KNOX. I ask for one minute more.

The CHAIRMAN. Does the gentleman from Georgia insist on his motion?

Mr. LIVINGSTON. No.

Mr. KNOX. Now, that ancient and romantic ruler of the Aztec race has been resurrected from his grave where he has rested for centuries, and it is proposed that the attraction of his history and his name shall be the means of depriving these two Territories of the boon of statehood.

It does seem to me, Mr. Chairman, that it offers no solution of the difficulty whatever to say that there will be too great a representation in the Senate from these two Territories. Now, we make a great mistake in talking about the increased representation in the Senate. Gentlemen seem to suppose the Territories are to stop where they are, that they are to have no future, no increase, and have no more population. Why, these two Territories are as large as the whole of New York, New England, Pennsylvania, New Jersey, Maryland, and North Carolina. When that Territory becomes peopled, as it will in twenty, fifty, or perhaps a hundred years from now, you may say while these two new States will be represented by four Senators they will be as large, and perhaps more populous, than other States in the United States represented by 24 Senators and more than 100 Representatives. [Applause.]

There is where the disproportion is likely to come. I think gentlemen make a mistake when they act upon the assumption that admission to statehood is the end of progress. When the Territories are admitted they go forward and grow in population. That is one of the great purposes of statehood; and, with the exception of Nevada, there is no instance in the history of this country but that after statehood has been granted to a Territory it has enlarged, expanded, and progressed. Now, I have nothing more to say. I hope the House will extend this boon to these Territories, and if we do not, let them at least go back and preserve their names, preserve their history and their love of locality. I ask for a vote. [Cries of "Vote!"]

The question was taken on agreeing to the amendment of Mr. OVERSTREET; and the Chairman announced that the yeas appeared to have it.

Mr. OVERSTREET. Division.

The committee divided, and there were—ayes 28, noes 106.

So the amendment was rejected.

The Clerk read as follows:

Sec. 20. That all qualified electors of said Territory are hereby authorized to vote in and choose delegates to form a convention in said Territory. Such delegates shall possess the qualifications of such electors. The said convention shall consist of 36 delegates, apportioned among the several counties within the limits of the proposed State as follows: Apache County, 2 delegates; Cochise County, 4 delegates; Coconino County, 2 delegates; Graham County, 3 delegates; Gila County, 2 delegates; Maricopa County, 5 dele-

gates; Mohave County, 2 delegates; Navajo County, 2 delegates; Pima County, 3 delegates; Pinal County, 3 delegates; Santa Cruz County, 2 delegates; Yavapai County, 4 delegates; Yuma County, 2 delegates; and the governor of said Territory shall, within thirty days after the passage of this act, by proclamation, order an election of the delegates aforesaid in said Territory, to be held on such day as he may in such proclamation designate, not less than thirty nor more than ninety days after the issuance thereof; and the boards of supervisors of the counties of the Territory shall, immediately upon the issuance of the governor's proclamation ordering the election of delegates to a constitutional convention as herein provided, authorize and require a supplemental registration of the male citizens of the United States over the age of 21 years who will have resided in the Territory for six months next preceding the date fixed for said election, whose names shall be added to the great registers exhibiting the names of the qualified voters of the Territory at the last general election held therein, which shall qualify them to vote for delegates to the constitutional convention; and such election for delegates shall be conducted, the returns made, and the certificate of persons elected to such convention issued in the same manner as is prescribed by the laws of said Territory regulating elections therein of members of the legislature. Persons possessing the qualifications entitling them to vote for delegates under this act shall be entitled to vote on the ratification or rejection of the constitution, under such rules or regulations as said convention may prescribe, not in conflict with this act.

Mr. GAINES of Tennessee. I am heartily in favor of the admission of each of these Territories as States of this Union. Both their population and condition justify the passage of this measure, and hence each of these Territories has the "right" to demand admission already too long and causelessly delayed.

Let me first state the law governing the case.

I read the law first from the Supreme Court of the United States, in *Shively v. Bowlby*, 57 U. S., 153, where the court declared:

Upon the acquisition of a Territory by the United States, whether by cession from one of the States, or by treaty with a foreign country, or by discovery and settlement, the same title and dominion passed to the United States for the benefit of the whole people and in trust for the several States to be ultimately created out of the Territory.

The Territory is held in "trust" for the "future State."

Again, on page 49, in the same case, the court says:

And the Territories acquired by Congress, whether by deed of cession from the original States or by treaty with a foreign country, are held with the object, as soon as their population and condition justify it, of being admitted into the Union as States upon an equal footing with the original States in all respects; and the title and dominion of the tide waters and the lands under them are held by the United States for the benefit of the whole people, and, as this court has often said, in cases above cited, "in trust for the future States." (*Pollard v. Hagan*, 3 How., 212, 221, 222; *Weber v. Harbor Commissioners*, 18 Wall., 57, 65; *Knight v. United States Land Association*, 142 U. S., 161, 183.)

Mr. Chairman, the law is here well and clearly stated, and has been thus announced since an early day, that when the "population and the condition justify," then the Territory has the "right" at once to be admitted into the Union. Are these Territories in this "condition?" Mr. Chairman, it is shown that the population of Arizona is 125,000, Oklahoma 398,331, New Mexico 195,310 by the last census.

I have the population in 1790, a few years after the adoption of the Federal Constitution by the old or original States. It was by States as follows:

Connecticut .....	237,946	North Carolina.....	393,751
Delaware .....	59,096	Pennsylvania.....	434,373
Georgia .....	82,548	Rhode Island.....	68,825
Maryland .....	319,728	South Carolina.....	24,073
Massachusetts.....	378,787	Virginia .....	747,610
New Hampshire.....	141,885		
New Jersey.....	184,139	Total.....	3,329,214
New York.....	340,120		

We see the "condition" as to the number of population of the old States. These constitute one and the first class of States of the Union. Take these now admitted after the Constitution was ratified. Now what was the population of the following States when admitted?

Ohio, when made a State in 1802, had 45,365 population. Kentucky was admitted in 1792 and had a population in 1800 of 73,670. Tennessee was admitted in 1796 and had in 1790 35,650 population.

When one of the original States, South Carolina, was admitted her population was about 24,000; Delaware, about 59,000; Georgia, about 82,548; New Hampshire, about 341,000; Rhode Island, about 68,000. Here are examples of States—the thirteen original and those admitted since 1787. Here are ancient constructions of the words "condition fit" to be made a State as to population. Let us go a little further on in actual or practical constructions of this kind along another line. Let us get down to the business condition of States admitted when admitted.

Let us take the State of Vermont, which was the first State admitted, carved out of the State of New York. Let us see what that State amounted to as to one business—I can only take one. Vermont was admitted in 1791. What was her population in 1790? Population, 85,425; area, 10,313 square miles.

#### KENTUCKY.

Kentucky was formed from the territory of Virginia and was made a State by consent of the Virginia legislature by act of December 18, 1789. See Senate Journal December 9, 1790. Application of the convention of Kentucky for statehood received December 9, 1790.

Her constitution was not then formed. Application for admission into the Union was on June 1, 1790, and was approved February 4, 1792. Entitled to two Representatives by act of Congress February 25, 1791. A copy of the constitution formed for the State of Kentucky laid before Congress by the President on November 7, 1792.

Area of Kentucky, 37,680 square miles; per cent of total area, 1.28; rank of States and territorially, 28.

Kentucky in 1802 had one bank, with a capital stock of \$150,000; in 1804 another bank, capital stock, \$1,000,000.

Take my own State of Tennessee. She was admitted into the Union in 1796. She had 45,600 square miles, or 1.55 per cent of total area, and ranked 25 among the States. What did she then have as a banking capital? Only one bank, with \$200,000 capital. When the State of Iowa was admitted she had one little private bank.

Now, take the State of Ohio, formed out of the Northwestern Territory, the cession of which was made in 1784, conditioned that this Territory should be made into States of this Union. An act was passed April 30, 1802, allowing this Territory to form a constitution and State government by which Ohio was allowed one Representative in Congress. November 1, 1802, the constitution was formed and presented to Congress. November 29, 1802, she was admitted as one of the States of the Union.

At that time Ohio only had 39,964 square miles and stood No. 27 amongst the States. So you see how quickly the great State of Ohio took advantage of this condition of the cession from the State of Virginia and sister States to get out of what she then termed her "colonial" condition and get into the Union of this country.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. KNOX. Mr. Chairman, I agreed that the gentleman from Tennessee might have some time, and I ask to have his time extended five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks that the time of the gentleman from Tennessee may be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GAINES of Tennessee. Let us go further on with the State of Ohio. That State is here represented in part by the most vigorous opponents of this measure. What had she in banks in 1803? In 1803 she had one bank, with a capital stock of \$200,000. In 1811 she had four banks, with a capital stock of \$895,000. In 1815 she had twelve banks, with a capital of \$1,484,719. In 1820 she had twenty banks, with a capital of \$1,797,463, and so on. So you see, Mr. Chairman, here is the State of Ohio represented by the gentleman [Mr. GROSVENOR] who makes objection to this measure after the rights of these people have been denied for years and years—makes more objection to this bill than any other Representative on the floor of this House. And yet Ohio was insignificant in 1802, when made a State, as compared to any one of these Territories. I say here we have the State of Ohio that as soon as an opportunity was presented she improved that opportunity in the manner I have stated, and did what? She appealed to Congress, Mr. Chairman, to relieve her from her "colonial condition," as she then termed it. Let me read from the Congressional Annals of 1802 what the people in Ohio then said on this question. On December 23, 1802, while Thomas Jefferson was President, at page 290 of the Annals of Congress we find the following:

The Speaker laid before the House a letter from Edward Tiffin, president of the convention of the State of Ohio, inclosing an address to this House from the said convention approving "the prompt and decisive measures taken by Congress at their last session to enable the people of the Northwestern territory to merge from their colonial government and to resume a rank among the sister States;" also expressing "their unequivocal approbation of the measures pursued by the present administration of the General Government, and of both Houses of Congress, in diminishing the public burdens, cultivating peace with all nations, and promoting the happiness and prosperity of our country."

Let us "emerge from this colonial government," said the Ohio people in 1802, when they wanted statehood. Why not allow the people of these three Territories the same right?

Yet, Mr. Chairman, these three little Territories that have been kept in what Ohio people in 1802 termed their "colonial condition" since the day these Territories were ceded to the United States, met yesterday with vigorous and trenchant opposition from the distinguished gentleman from Ohio [Mr. GROSVENOR].

Ohio at the time she was admitted as a State of the Union had less population, less possibilities, and less banking capital than any one of the Territories that are knocking here to-day for admission into the Union and for justice to be done them.

Take the little State of New Jersey. She ratified the Constitution of the United States December 18, 1787, and became one of the thirteen original States. In 1805 she only had 2 banks, with a capital of \$1,000,000. In 1811 she had 3 banks, with a capital of \$789,740. In 1815 she had 11 banks, with \$2,121,932. In 1820 she had 14 banks, with \$2,130,949. And yet yesterday, with his usual

force and ability we find the gentleman from New Jersey [Mr. PARKER] trying to keep these little Territories out of the sisterhood of States when any one of the Territories asking for statehood has more population, more capital, and greater possibilities than the State of New Jersey had when she came in as one of the original thirteen States.

Now, take Wisconsin. She was admitted into the Union in 1848. Her first bank was established in Milwaukee in 1851 with a capital of \$225,000. Her area in square miles was 53,924; per cent of total area of United States, 1.84, and rank of States, No. 17. I have already stated that Iowa was admitted in 1858 and was destitute of banks except one little private concern.

Take the State of Michigan, which was admitted into the Union in January, 1837. In 1838 there were 11 banks, with an aggregate capital of \$1,400,000. Its area in square miles was 56,243.

Take Indiana, represented here to-day by the gentleman who has proposed an amendment to amalgamate two of these Territories as a State. Indiana was admitted into the Union in 1816. In 1820 it had two banks, with a capital stock of \$202,857. Its area in square miles was 33,809. In 1800 she had a population of 5,641, while Arizona has to-day 125,000, Oklahoma 398,000, and New Mexico 195,900. And banking capital—a good index—far beyond any of these States when made States.

Now, take the State of Illinois. She had in 1813 only 1,500 inhabitants. In 1818 she was admitted into the Union. In 1820 she had 55,600 population. In 1813 she had only one bank, at Shawneetown. Her area in square miles was 55,405.

Mr. Chairman, I could go on and refer to all the States—

The CHAIRMAN (Mr. PEARRE). The time of the gentleman has expired.

Mr. GAINES of Tennessee. I ask only a moment more.

Mr. KNOX. The gentleman can extend his remarks in the RECORD.

Mr. GAINES of Tennessee. Only one moment more.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. I move to strike out the last word.

The CHAIRMAN. The time of the gentleman has expired, and he can not continue his remarks without the unanimous consent of the committee.

Mr. GAINES of Tennessee. I only want a minute more.

Mr. KNOX. I will yield the gentleman a minute.

Mr. GAINES of Tennessee. Mr. Chairman, if we apply the same rules to these three Territories that have been applied to the old and new States, we must pass this bill and admit these Territories as three separate and distinct States of this Union. Justice, right, and the law demand as much.

The Clerk read as follows from section 21:

SEC. 21. That the delegates to the convention thus elected shall meet at the seat of government of said Territory on the third day after their election, and after organization shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States, whereupon the said convention shall be, and is hereby, authorized to form a constitution and State government for said proposed State. The constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide, by ordinance irrevocable without the consent of the United States and the people of said State—

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

The following amendment reported by the Committee on the Territories was read, and agreed to:

In line 2, page 18, strike out "day" and insert "Monday."

Mr. ROBERTS. I move to amend by adding, after the word "worship," at the end of line 17, page 18, these words: "Provided, That polygamous or plural marriages are forever prohibited."

Mr. KNOX. We make no objection to that.

The amendment was agreed to.

The Clerk read as follows:

SEC. 25. That 100 sections of the unappropriated public lands within said State, to be selected and located in legal subdivisions as provided in section 4 of this act, shall be, and are hereby, granted to said State for the purpose of erecting public buildings at the capital of said State and payment of the bonds issued for the erection of the capitol.

Mr. KNOX. On behalf of the committee I move to amend by striking out the word "four," in line 20, page 22, and inserting in lieu thereof the word "thirty."

The amendment was agreed to.

The Clerk read the following paragraph of section 39:

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

Mr. RODEY. I move to amend by inserting after the word "worship," at the end of line 6, page 33, these words:

Provided, That polygamous or plural marriages are forever prohibited.

Mr. KNOX. There is no objection to that.

The amendment was agreed to.



The Clerk read as follows:

SEC. 43. That upon the admission of said State into the Union, in accordance with the provisions of this act, 50 sections of the unappropriated lands within said State, to be selected and located in legal subdivisions, as provided in section 6 of this act, shall be, and are hereby, granted to said State for the purpose of erecting public buildings at the capital of said State, when permanently located, for legislative, executive, and judicial purposes.

Mr. KNOX. I move to amend by striking out "six," in line 12, page 37, and inserting in lieu thereof the word "forty-eight."

The amendment was agreed to.

The Clerk read as follows:

SEC. 44. That additional lands to the extent of two townships in quantity, as authorized by the sixth section of the act of July 22, 1854, to be reserved for the establishment of a university in New Mexico, are hereby granted to the State of New Mexico for university purposes, to be held and used in accordance with the provisions in this section; and said land may again be selected by said State. That, in addition to the above, 100,000 acres of land, to be selected and located as provided in section 6 of this act, are hereby granted to the said State for the use of said university, and 100,000 acres, to be in like manner selected, for the use of an agricultural college. That the proceeds of the sale of said land, or any portion thereof, shall constitute permanent funds to be safely invested and held by said State, and the income thereof to be used exclusively for the purposes of such university and agricultural college, respectively.

That the schools, colleges, and university provided for in this act shall forever remain under the exclusive control of said State; and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes, or of the income thereof, shall be used for the support of any sectarian or denominational school, college, or university.

Mr. KNOX. Mr. Chairman, in line 20, page 37, the words "of New Mexico" should be stricken out and the word "said" inserted before the word "State" in the same line. I move that amendment.

The amendment was agreed to.

Mr. KNOX. I move to amend by striking out, in line 25, page 37, the word "six" and inserting in lieu thereof the word "forty-eight."

The amendment was agreed to.

The Clerk read as follows:

SEC. 47. That in lieu of the grant of land for purposes of internal improvement made to new States by the eighth section of the act of September 4, 1841, which section is hereby repealed as to said proposed State, and in lieu of any claim or demand of the said State under the act of September 23, 1850, and section 2479 of the Revised Statutes, making a grant of swamp and overflowed lands, which grant it is hereby declared is not extended to said State, the following grants of land are hereby made to said State for the purposes indicated, namely, for the establishment and maintenance of an asylum for the insane, 50,000 acres; for the establishment and maintenance of a school of mines, 50,000 acres; for the establishment and maintenance of an asylum for the deaf and dumb, 50,000 acres; for the establishment and maintenance of a reform school, 50,000 acres; for the establishment and maintenance of State normal schools, 100,000 acres; for the establishment and maintenance of an institution for the blind, 50,000 acres; for a miners' hospital for disabled miners, 50,000 acres; for the establishment and maintenance of a military institute or school, 100,000 acres; for the enlargement and maintenance of the State penitentiary, 50,000 acres.

Mr. KNOX. I move to amend by inserting after the word "schools," in line 2, page 40, the words "as now established in said Territory."

The amendment was agreed to.

The Clerk resumed and concluded the reading of the bill.

Mr. KNOX. I move that the committee now rise and report the bill with the amendments to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HEMENWAY reported that the Committee of the Whole House on the state of the Union had had under consideration House bill No. 12543 and had directed him to report the same back with sundry amendments and with the recommendation that the bill as amended be passed.

The SPEAKER. Is a separate vote demanded on any amendment? [A pause.] If not, the Chair will submit the amendments in gross.

The question being taken, the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. KNOX, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PENSION BUSINESS, ETC.

Mr. SULLOWAY. I move that the House resolve itself into the Committee of the Whole for the consideration of bills on the Private Calendar under the special rule.

The motion was agreed to.

The committee accordingly resolved itself into Committee of the Whole House on the Private Calendar, Mr. CAPRON in the chair.

#### ABBIE BOURKE.

The first business on the Private Calendar was the bill (H. R. 11196) granting a pension to Abbie Bourke.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Abbie Bourke,

widow of David Bourke, late private of marines, and pay her a pension at the rate of \$30 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all in the bill after the words "pension roll" in line 4 and substitute the following: "subject to the provisions and limitations of the pension laws, the name of Abbie Bourke, widow of David Bourke, late master-at-arms, United States Navy, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of the minor child of said David Bourke until he reaches the age of sixteen years."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. TALBERT. Mr. Chairman, I notice that on the Calendar to-day, to be acted upon by the Committee of the Whole House, there are 98 bills, if I count correctly. Of those 98 bills, if I have made a correct count of them, 28 are asking for original pensions, where no pension has been granted, 54 of them are for increase of pension, and 16 for removal of the charge of desertion or the correction of military record, and the setting aside of the verdict of military courts, and so on, making a total of 98. Now, it does seem to me that in considering these bills those soldiers or claimants who have never received any pension at all should receive the first consideration of this committee—that is, their bills ought to be first taken up and considered. Those who are receiving pensions and asking for an increase can better afford to wait a while than those who have never received any pension at all, and those who are asking for the removal of the charge of desertion ought not to receive any consideration whatever, as a matter of course they ought not, because they have deserted the flag; but I ask unanimous consent that we first take up the bills asking for original pensions, and then that we take up the bills asking for an increase, and then take up and consider those which are for the removal of the charge of desertion, etc.

Mr. SULLOWAY. Mr. Chairman, there are only about 70 bills here reported from the Committee on Pensions and the Committee on Invalid Pensions. With the bills dealing with military matters neither of these committees have anything to do. Here are only a few bills and I think we better take them up in their order and dispose of them. There are only a small number of bills, and I think we can get through the whole of them.

Mr. ROBINSON of Indiana. Mr. Chairman, I have no objection to considering last the third class which the gentleman names, but I wish to call the gentleman's attention to the second class; that is, those who ask for an increase of pension. They are often entitled to more consideration than those who seek original pensions. If the motion be stated in that way, I shall have no objection to it.

Mr. TALBERT. I think we can get through them all, but I think it is a reasonable request that I make, and I hope that no one will object.

Mr. BROMWELL. Do I understand that the gentleman from Indiana does object?

Mr. ROBINSON of Indiana. I do if the whole of them are included in the request.

Mr. TALBERT. Mr. Chairman, then I change my request to a motion, and I move that we take them up in the order that we have designated—first, those asking for an original pension; second, those for an increase, and third, those for the removal of the charge of desertion, etc. I make that motion, and I hope that the House will vote favorably upon it.

Mr. BROMWELL. Mr. Chairman, I hope the House will not.

The CHAIRMAN. The gentleman from South Carolina moves that the House take up, first, those bills providing for original pensions; second, those for the increase of pensions, and third, those asking for the removal of the charge of desertion and other bills from the Committees on Military and Naval Affairs.

Mr. BROMWELL. Mr. Chairman, I hope that motion will not prevail. We have but 13 bills from the Pension Committee on this Calendar—

The CHAIRMAN. I would state to the gentleman from Ohio that this motion is not debatable, unless by unanimous consent.

Mr. BROMWELL. Then I ask unanimous consent that I may be permitted to address the committee on this motion.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that he may be permitted to address the committee on the motion before it. Is there objection?

There was no objection.

Mr. BROMWELL. Mr. Chairman, as the gentleman from Indiana [Mr. ROBINSON] has well said, there may be many cases where increases of pension are far more meritorious than the cases asking for original pensions. They are really the same class of cases. They are for the purpose of going above or beyond the decision of the Pension Bureau in regard to each of these cases and extending such relief as the House has been in the habit of extending to cases where the applicant for a pension has not been able to establish a right to a pension, in the first place, or where the limits of the law prevent giving an adequate pension beyond

what is already given by the Pension Bureau. Now, it will take only a few minutes anyhow to go through with this entire Calendar, if we pass these bills as we have been in the habit of passing them. There are only 86, of which 13 are from the Pension Committee and 73 from the Committee on Invalid Pensions. By taking them up in their order we can keep track of them, and it gives advantage to those who have been industrious in getting their bills before the committee, and I do not see any real reason why we should change this rule.

Mr. TALBERT. I withdraw the motion.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LACEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 8864. An act to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina at Cape Hatteras; and

S. R. 95. Joint resolution providing for the printing of 17,500 copies of Bulletin No. 24, Department of Agriculture, entitled "A Primer of Forestry," for the use of Congress and the Department of Agriculture.

FRANCIS C. BAKER.

The committee resumed its session.

The next business on the Private Calendar was the bill (H. R. 13529) granting an increase of pension to Francis C. Baker.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Francis C. Baker, late of Company A, One hundred and forty-seventh New York Infantry, on the pension roll, at the rate of \$30 per month in lieu of the amount he is now receiving.

The following amendment, recommended by the committee, was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis C. Baker, late of Company A, One hundred and forty-seventh, and Company C, Ninety-first, Regiments New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

Mr. TALBERT. Mr. Chairman, I should be glad to hear the report in that case read.

The CHAIRMAN. Without objection, the report will be read in the gentleman's time.

The Clerk began the reading of the report (by Mr. APLIN), which is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13529) granting an increase of pension to Francis C. Baker, submit the following report:

This bill proposes to increase the pension of this soldier from \$12 to \$30 per month.

It appears from the records of the War Department that Francis C. Baker, the soldier named in this bill and now 55 years of age, served as a private in Company A, One hundred and forty-seventh New York Infantry, from September 21, 1863, to July 3, 1865, when honorably discharged as of Company C, Ninety-first New York Volunteers, to which organization he was transferred on June 17, 1865; that his company and regiment were in action at Mine Run, Va., November 9, 1863, and at Appomattox Court-House, Va., on April 1, 1865.

His claim to pension under the general law, filed on June 21, 1889, and based upon shell wound of the left thigh, received at the battle of Mine Run, and gunshot wound of the right ankle, received at Appomattox Court-House on April 1, 1865, was rejected October 4, 1901, upon the ground that a ratable disability from these wounds had not existed since the filing of the claim.

The records of the War Department do not show that the soldier received the wounds alleged by him in his application or that he was under treatment at any time during his period of service, and he filed no proof in corroboration of his allegations in his claim under the general law.

He is now a pensioner under the act of June 27, 1890, at the maximum rating, namely, \$12 per month, on account of these gunshot wounds of left thigh and right ankle and rheumatism, and this notwithstanding the fact that the Pension Bureau held in his claim under the general law that a pensionable disability from the wounds had not existed.

When first examined, on June 11, 1890, he stated before that board of surgeons that he did not go to the hospital for either of his wounds, but was excused from duty and stayed with his regiment; and that board of surgeons described his condition as follows:

"Gunshot wound of right ankle: A minie ball was embedded in the muscles nearly to the bone. Cicatrix not adherent. The limb at site of injury becomes sore and painful when walking or hard work is performed.

"Wound of left thigh: There is a large scar on the left thigh—a flesh wound. Has the appearance of having had a portion of the cuticle or fascia scooped out.

"Rate for gunshot wound of thigh, \$4; for wound of ankle, \$2."

The last certificate of medical examination, made on April 8, 1901, described the cicatrices of the wounds as neither adherent nor tender, but found rheumatism, with swelling, enlargement, tenderness, and stiffness of both knee-joints, the knee-joints being surrounded by an organized mass of exudate; that it was impossible for the claimant to extend the legs fully, the limitation of motion being one-third; that he is unable to stand erect, and that there was contraction of the flexor tendons of thigh as a result of the in-

ability to straighten the legs; that the case was one of chronic arthritis with occasional acute exacerbations; that the metacarpophalangeal joint of the left thumb was inflamed, tender, and enlarged; the left elbow joint inflamed and tender, but not swollen, and that the claimant's condition was such from rheumatism that the assistance of another person was required at the time of this examination.

There has been filed with your committee the statement of the postmaster of East Tawas, Mich., setting forth that the beneficiary was employed by him building a dam on Hope Creek twenty-five years ago; that he was then suffering from wounds received in the war; that he was wounded at Mine Run and at Chapin's Farm; that he was wounded by a partially spent ball in the right ankle; that after the action he dug the ball out of the wound with a case knife and put a chew of tobacco in it and continued on duty; that this illustrated the sort of stuff of which he was made; that he now has a ragged scar on the upper third of the left thigh caused by a shell wound, and by reason of the contraction of the muscles in healing he can not wholly extend the left leg; that by reason of said wounds and the advancing infirmities of age he is nearly paralyzed and can not walk without crutches; that this condition is not consequent upon vicious habits, as he has never used liquors as a beverage, and that he has no income from any source except his pension.

It being shown that this soldier is now so disabled from rheumatism and the wounds received by him during his service that at times he requires the assistance of another person, your committee, following established precedents, recommend that relief, to the extent of increasing his pension from \$12 to \$24 be granted, and the bill is therefore reported back with the recommendation that it pass after the same shall have been amended.

Mr. GIBSON (interrupting the reading). Mr. Chairman, I hope the gentleman from South Carolina will now be satisfied by the showing of the excellent record of this man. He served from September, 1863, until July, 1865, and was wounded in battle. He has a splendid record and is now disabled, and he needs the attendance of another person.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

RANSFORD T. CHASE.

The next business on the Private Calendar was the bill (H. R. 13174) granting an increase of pension to Ransford T. Chase.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ransford T. Chase, late of Company F, Ninth Regiment Volunteer Infantry, United States Army, and also Company D, Eighty-first Regiment New York State Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 7, 8, and 9, and insert in lieu thereof the following: "United States Veteran Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARIETTA ADAMS.

The next business on the Private Calendar was the bill (S. 5337) granting an increase of pension to Marietta Adams.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marietta L. Adams, widow of Edgar A. Adams, late of Company A, Sixth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

BENJAMIN GRINNELL.

The next business on the Private Calendar was the bill (H. R. 7040) granting an increase of pension to Benjamin F. Grinnell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Grinnell, late of Company H, Thirty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "F."

In same line strike out the word "Grinnell" and insert in lieu thereof the word "Grinnell."

Amend the title so as to read: "A bill granting an increase of pension to Benjamin Grinnell."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE ATKINSON.

The next business on the Private Calendar was the bill (H. R. 8414) granting an increase of pension to George Atkinson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Atkinson, late of Company M, First Regiment Wisconsin Heavy Artillery Volunteers, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.



The amendments recommended by the committee were read, as follows:

In line 7, after the word "Wisconsin," insert the word "Volunteer."  
 In same line strike out the word "Volunteers."  
 In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDMUND B. APPLETON.

The next business on the Private Calendar was the bill (H. R. 13597) granting an increase of pension to Edmund B. Appleton.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edmund B. Appleton, late of Company M, Fourteenth Regiment Illinois Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "M" and insert in lieu thereof the letter "H."

In line 7, after the word "Illinois," insert the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN M. CRIST.

The next business on the Private Calendar was the bill (H. R. 8487) granting a pension to John M. Crist.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Crist, late of the Two hundred and ninth Regiment Pennsylvania Volunteers, at the rate of \$30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8, and insert in lieu thereof the following: "of John M. Crist, late of Company K, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to John M. Crist."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HIRAM A. SHELDON.

The next business on the Private Calendar was the bill (H. R. 13891) granting a pension to Hiram A. Sheldon.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram A. Sheldon, late of Company C, First Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the word "captain."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ENOCH VOYLES.

The next business on the Private Calendar was the bill (H. R. 12377) granting a pension to Capt. Enoch Voyles:

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Capt. Enoch Voyles, late of Company G, Third Tennessee Regiment Mounted Volunteer Infantry, and pay him a pension at the rate of \$18 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Enoch Voyles, late captain Company G, Third Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$10 per month."

Amend the title so as to read: "A bill granting a pension to Enoch Voyles."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. HILL having taken the chair as Speaker pro tempore, a message from the President of the United States was communicated to the House of Repre-

sentatives by Mr. B. F. BARNES, one of his secretaries, who informed the House of Representatives that the President had approved and signed bill of the following title:

On May 9, 1902:

H. R. 9206. An act to make oleomargarine and other imitation dairy products subject to the laws of any State, or Territory, or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886.

HENRY FORCHT.

The committee resumed its session.

The next business on the Private Calendar was the bill (H. R. 7021) granting an increase of pension to Henry Forcht.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Forcht, late of Company H, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Forcht, late of Company H, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LILLIE MAY FIFIELD.

The next business on the Private Calendar was the bill (H. R. 5321) granting a pension to Lillie May Fifield.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lillie May Fifield, dependent daughter of Henry Fifield, deceased, late of Company D, First Michigan Cavalry, and pay her a pension at the rate of \$12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Lillie May Fifield, helpless and dependent daughter of Henry Fifield, late of Company D, First Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CORNELIA S. RIBBLE.

The next business on the Private Calendar was the bill (H. R. 2787) granting a pension to Cornelia S. Ribble.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelia S. Ribble, widow of George T. Ribble, late of Company —, Eleventh Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelia S. Ribble, widow of George T. Ribble, late assistant surgeon, Eleventh Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Cornelia S. Ribble."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MRS. F. H. ANTHONY.

The next business on the Private Calendar was the bill (H. R. 7319) granting an increase of pension to Mrs. F. H. Anthony.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances H. Anthony, widow of De Witt Clinton Anthony, late colonel of the Twenty-third and Sixty-sixth Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Frances H. Anthony, widow of De Witt C. Anthony, late lieutenant-colonel Twenty-third and colonel Sixty-sixth Regiments Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided, however,* That in the case of the death of the

helpless child, Myrtilla H. Anthony, on whose account the pension of Frances H. Anthony is increased, the pension of said Frances H. Anthony shall continue only at the rate of \$8 per month from and after the date of death of said helpless child."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT R. STRONG.

The next business on the Private Calendar was the bill (H. R. 2563) granting an increase of pension to Robert R. Strong.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert R. Strong, late of Company G, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JACOB MOCK.

The next business on the Private Calendar was the bill (H. R. 7382) granting a pension to Jacob Mock.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Mock, late of Company D, One hundred and sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

In the same line, after the word "month," insert the following: "the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GRIFFITH EVANS.

The next business on the Private Calendar was the bill (H. R. 1741) granting an increase of pension to Griffith Evans.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Griffith Evans, late of Company B, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Griffith" and insert in lieu thereof the word "Griffith."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Griffith Evans."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY E. MURPHY.

The next business on the Private Calendar was the bill (H. R. 8401) granting an increase of pension to Henry E. Murphy.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry E. Murphy, late of Company K, Fourteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. MATHEWS.

The next business on the Private Calendar was the bill (H. R. 8924) granting an increase of pension to George W. Mathews.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Mathews, late of Company K, Seventeenth Regiment Iowa Volunteer Infantry, and second lieutenant Company D, Second United States Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

In lines 7 and 8 strike out the words "and second lieutenant Company D, Second United States Volunteer Infantry."

In line 9 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. TEMPLE.

The next business on the Private Calendar was the bill (H. R. 12562) granting an increase of pension to William H. Temple.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Temple, late of Company B, Fifty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JACKSON L. WILSON.

The next business on the Private Calendar was the bill (H. R. 12047) granting an increase of pension to Jackson L. Wilson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jackson L. Wilson, late of Company E, Third Tennessee Regiment Mounted Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Tennessee" and insert in lieu thereof the word "Regiment."

In line 7 strike out the words "Regiment Mounted Volunteer" and insert in lieu thereof the words "Tennessee Volunteer Mounted."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE CHAMBERLIN.

The next business on the Private Calendar was the bill (H. R. 12779) granting an increase of pension to George Chamberlain.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws of the United States, the name of George Chamberlain, late of Company M, Second Pennsylvania Heavy Artillery, and pay him a pension of \$30 a month in lieu of the pension of \$12 a month now received by him.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Chamberlain, late of Company M, Second Regiment Pennsylvania Volunteer Heavy Artillery, and Company E, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH H. WOODRUFF.

The next business on the Private Calendar was the bill (H. R. 13467) granting a pension to Joseph H. Woodruff.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph H. Woodruff, late of Company E, Fourth Iowa Regiment Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Joseph H. Woodruff, late of Company E, Fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$15 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANKLIN SNYDER.

The next business on the Private Calendar was the bill (H. R. 7679) granting an increase of pension to Franklin Snyder.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Franklin Snyder, late of Company D, Eleventh Regiment Wisconsin Volunteer Infantry, and pay him a pension of \$72 per month in lieu of the amount he now receives under certificate numbered 261407.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That the Secretary of the Interior be, and he is hereby, authorized and



directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Franklin Snyder, late of Company D, Eleventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS L. NELSON.

The next business on the Private Calendar was the bill (S. 4004) granting an increase of pension to Thomas L. Nelson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas L. Nelson, late of Company C, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE M'DOWELL.

The next business on the Private Calendar was the bill (S. 2461) granting an increase of pension to George McDowell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George McDowell, late of Company H, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DAVID M. M'KNIGHT.

The next business on the Private Calendar was the bill (S. 3992) granting an increase of pension to David M. McKnight.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David M. McKnight, late second Lieutenant Company B, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EBEN C. WINSLOW.

The next business on the Private Calendar was the bill (S. 1593) granting an increase of pension to Eben C. Winslow.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eben C. Winslow, late of Company F, Ninety-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EMMA S. HANNA.

The next business on the Private Calendar was the bill (S. 3999) granting an increase of pension to Emma S. Hanna.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma S. Hanna, widow of Thomas Hanna, late of Company C, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

PHILO F. ENGBESBY.

The next business on the Private Calendar was the bill (S. 4238) granting an increase of pension to Philo F. Englesby.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Philo F. Englesby, late of Company A, Seventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MORRIS M. COMSTOCK.

The next business on the Private Calendar was the bill (H. R. 5887) granting an increase of pension to Morris M. Comstock.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, empowered and directed to increase the pension of Morris M. Comstock, formerly of Company L, First Michigan Engineers and Mechanics, to \$50 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Morris M. Comstock, late of Company L, First Regiment Michigan Volunteer Engineers and Mechanics, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANTHONY J. RILEY.

The next business on the Private Calendar was the bill (H. R. 13081) granting an increase of pension to Anthony J. Riley.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anthony J. Riley, late of Company K, Fifth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

REBECCA COPPINGER.

The next business on the Private Calendar was the bill (S. 2336) granting a pension to Rebecca Coppinger.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebecca Coppinger, widow of William H. Coppinger, late of Company K, First Regiment United States Dragoons, Sabine Indian disturbance, and pay her a pension at the rate of \$12 per month.

The amendment recommended by the committee was read, as follows:

In line 9 strike out "twelve" and insert "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANN E. COLLIER.

The next business on the Private Calendar was the bill (S. 4506) granting an increase of pension to Ann E. Collier.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann E. Collier, widow of George W. Collier, late lieutenant-colonel, United States Marine Corps, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "forty" and insert "thirty-five."

Mr. TALBERT. Mr. Chairman, I would be glad to have the report read.

The Clerk read the report (by Mr. LOUDENSLAGER), as follows:

The Committee on Pensions, to whom was referred the bill (S. 4506) granting an increase of pension to Ann E. Collier, beg leave to submit the following report and recommend that said bill do pass with an amendment:

The bill is accompanied by Senate Report No. 924, this session, and the following facts bearing upon the merits of the bill are taken therefrom:

"It is proposed by this bill to grant an increase of pension to Ann E. Collier, widow of George W. Collier, late lieutenant-colonel, United States Marine Corps.

"It appears from the records of the Marine Corps that George W. Collier was commissioned a second lieutenant in the United States Marine Corps September 5, 1890, and joined his command in this city on the 9th of September, 1890. He was promoted first lieutenant September 1, 1891, and captain November 20, 1892. He served all during the war of the rebellion and subsequent thereto rendered service on several vessels and at the several stations of the Marine Corps. He was promoted major April 18, 1880, and lieutenant-colonel August 18, 1889. He was retired from active service October 23, 1889, and died at Hagerstown, Md., December 23, 1892. The cause of his death was disease of heart and lungs.

"Ann E. Collier, the widow of this officer and the claimant under this bill, is now receiving a general-law pension of \$25 per month, her husband having held the rank of major at the time his fatal diseases were incurred. She is 64 years of age, and was married to the officer May 18, 1864. She resides at Greencastle, Pa.

"Mrs. Collier is in straitened circumstances. She has no property, and her income aside from her pension is only about \$100 per year. In view of her advanced age, her poverty, and the long and honorable service of her husband, your committee are of the opinion that an increase of her pension would be both just and proper."

Your committee believe with the Senate that the case is a proper one for the allowance of an increased rating, but following the precedent established in many similar cases it is recommended that the rating be fixed at \$35 per month, and that as amended the bill do pass.

Her pensionable rank is that of a major's widow and \$35 per month is the maximum rating recommended by your committee for that rank.

Mr. BROMWELL. Mr. Chairman, if the gentleman wants any further information I will say that the limit fixed by law is \$30 for the rank of lieutenant-colonel. The Senate fixed this rate at \$40, and the Committee on Pensions fixes the rate at the limit for rank of major, which was the rank he had at the time the disabilities were incurred, the maximum rate being \$35. We are following the line of precedent, and have cut the Senate bill down from \$40 to \$35. He had a long and valuable service.

Mr. TALBERT. Was he receiving a pension when he died?

Mr. BROMWELL. No; he was not receiving a pension for the reason that he was on the retired list, and under the law could not receive a pension.

Mr. TALBERT. His widow was receiving \$25?

Mr. BROMWELL. His widow is entitled to \$25.

Mr. TALBERT. Then why give her the maximum? Would it not be well—

Mr. BROMWELL. She gets \$25 from the Pension Bureau. This is in line with what the Pension Committee, both Pension Committees, have done where there are peculiar circumstances of age, poverty, and a good record of the husband, to increase the rate over the amount allowed by law, and that is all there is in it. We give that.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOHN COOLEN.

The next business on the Private Calendar was the bill (S. 3279) granting a pension to John Coolen.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Coolen, late of Company B, Tenth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

Mr. TALBERT. I should like to ask of the gentleman having charge of this bill why this man has never received a pension before, and why he could not get a pension at the Bureau?

Mr. BROMWELL. This is a Senate bill. The report shows that the claim was rejected November 19, 1901, and again January 8, 1902, on the ground that there was no record or other satisfactory evidence that the disability was of service origin. Now, as against that, it appears from the evidence of his neighbors that the claimant has complained of heart and lung trouble ever since his return from his Army service. He has been troubled with cough, shortness of breath, and other symptoms of chest disease, and has been largely incapacitated for manual labor. The physicians who treated him prior to 1896 are dead, and no evidence of his condition prior to that time can be furnished. Two of his comrades, however, testify positively that he was sick with lung trouble in the fall of 1869, and the muster rolls of his company show that he was in the hospital. Now, while there is no hospital record and no medical testimony in this case, yet the testimony of his comrades shows that he was at times very sick with the trouble of which he finally died.

Mr. TALBERT. What would have been his pensionable status if his disability could have been traced to service origin?

Mr. BROMWELL. It would have been what the bill gives him—\$12 a month.

There being no objection, the bill was laid aside to be reported favorably to the House.

ETTA ADAIR ANDERSON.

The next business on the Private Calendar was the bill (S. 2036) granting an increase of pension to Etta Adair Anderson.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Etta Adair Anderson, widow of J. Patton Anderson, late lieutenant-colonel Battalion Mississippi Rifles, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

Mr. TALBERT. As I understand, this widow who is now receiving a pension of only \$8 is a poor woman, and why is it she can not have a little larger increase than that proposed in the bill? Why not raise her pension from \$8 to \$20, or at least to \$16? I thought the Committee on Pensions had adopted the rule of doubling the pension where the widow is dependent and very poor? I recollect that this was done in a case of which I had charge—the case of the widow of a soldier in my neighborhood. I simply suggest that the pension in this case be increased to \$16, instead of \$12. Is there objection to that?

Why, gentlemen, you run wild when you come to consider the pension of an officer or his widow, but you seem to grow dull when you come up against the poor private and his widow and his children.

Mr. BROMWELL. I shall have to object. The cases which

the gentleman from South Carolina has in mind were cases where the pension was granted to the soldier himself. Under certain circumstances the Pension Committee has recommended an increase of the soldier's pension to \$16, and in some cases to \$20, where his disability was such that he required constant attention, and where he was very poor and infirm, unable to work. But in the case of widows' pensions, where there was nothing in the case except the service of the soldier, where he was not wounded and did not die of disability incurred in the service, we have fixed the maximum at \$12, the amount allowed by law being \$8.

This bill is in accordance with all the bills reported from our committee in similar cases. In some exceptional cases, where the pension was granted to the soldier himself, we have allowed \$20, but never more than \$16 in the case of a widow.

Mr. TALBERT. Of course I do not wish to infringe upon the prerogatives or rights of the committee. I know that their action is, in general, judicious and sometimes wise. But I do submit that there is often too much discrimination made between the widow of a private soldier and the widow of an officer. In this matter of increases there is often, it seems to me, too wide a difference. For instance, we have just passed a bill increasing the pension of the widow of an officer—a major in the Navy, I believe—from \$25 to \$35, an increase of \$10. Now, it does seem to me that this widow is as much entitled to an increase of at least \$8 as was the other widow, in whose case the pension was larger and who receives an increase of \$10.

I move, Mr. Chairman, to amend the bill by striking out "twelve" and inserting "sixteen." I hope that the committee will pass the bill with the rate of pension which I propose, and let this poor old woman receive only what is right.

Mr. DAVIS of Florida. Mr. Chairman, I wish to say that Mrs. Anderson, the beneficiary in this bill, is an aged lady, a resident of my town, as good a woman as ever lived. She is without property or means of support, except as contributed by her sons and daughters. Her husband, Mr. Chairman, was a lieutenant-colonel in the Mexican war, and as gallant a soldier as ever drew a sword. This aged widow, as I have said, is without property. She has two grandchildren residing with her, and, in a measure, dependent upon her. I know her well, because she is my neighbor, and I trust this committee, in its liberality, will adopt the amendment offered by the gentleman from South Carolina.

Mr. BROMWELL. Mr. Chairman, of course it is not a gracious task, on the statement of a case like that, to oppose an amendment of this kind, and yet, as representing the Committee on Pensions, I feel it is my duty to suggest to this House that there ought to be at least some consistency, some uniformity, in this matter of fixing rates on these pensions. The mere fact that some pension applicant who has a bill before Congress can interest her Representative to make a special appeal in her behalf for a different rate, an increase of rate beyond what is given to the great ordinary class of pensioners of the same kind, it seems to me, ought not to appeal to this House, and that we ought to follow some consistent, uniform rule as far as we can. We must remember that every one of these increases is a matter of favor. There are thousands of pensioners who never get into this Congress who are drawing the rates of pension allowed by the law—\$8—and picking out one individual case where the committee has reported consistently with all other cases of the same kind and as a matter of favor to a particular member of the House, yielding to his request for an increase, is establishing a bad policy.

I would be glad if we could give every widow of every soldier an increase of pension; I would be glad if we could give every surviving soldier a per diem pension, but under the present condition of things and under existing law it can not be done. Now, when we raise this pension from eight to twelve dollars we are increasing it 50 per cent, and that is a much greater increase than in the case referred to by the gentleman from South Carolina [Mr. TALBERT]. The law recognizes differences of rank; it fixes the rate of pension of a soldier and of the widow of a soldier according to the rank he held at the time of disability, in case he died from disability incurred in the service. It is not a question of choice or option with the committee; they are bound to recognize the law. But here is a case where a widow is entitled to \$8. It comes before Congress, and upon the Committee on Pensions acting upon her bill, as a matter of charity, we give an increase of \$4 a month. Now, to make that \$16 a month is absolutely unfair to the hundreds of other cases we have passed through Congress with a similar increase to that recommended, and it is still more unfair to the thousands of cases of those who get only \$8 a month. I hope the amendment will not prevail.

Mr. GAINES of Tennessee. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Tennessee?

Mr. BROMWELL. Yes.

Mr. GAINES of Tennessee. Is the widow of a soldier who



served in the civil war forty years ago pensioned exactly the same rate that this lady has been pensioned?

Mr. BROMWELL. Of course this is not a civil-war pension.

Mr. GAINES of Tennessee. I know; it is the widow of a man who, however, fought in our Army, and there should not be any distinction between the two—a civil or Mexican war pension.

Mr. BROMWELL. I will answer the gentleman's question. Under the act of 1890 she would be entitled to just the pension provided for.

Mr. GAINES of Tennessee. Who would?

Mr. BROMWELL. The widow of the civil-war soldier.

Mr. GAINES of Tennessee. Upon what basis is that made \$8?

Mr. BROMWELL. Dependence, and her husband having been in the service.

Mr. GAINES of Tennessee. Does not the gentleman think a widow of a Mexican soldier, who fought in the war in the fifties, would be far more dependent than the widow of a soldier, however brave he was, who fought in the war forty years ago?

Mr. BROMWELL. The soldier himself, under the law, is entitled to only \$12.

Mr. GAINES of Tennessee. You say this rate is fixed upon the basis of dependence. Now, age makes everyone more or less dependent physically and mentally. Here is this widow of a Mexican-war soldier so old that she has grandchildren, two of them in a measure dependent upon her, and yet this committee binds her down to a rule that does not bind down the widow of an officer or a soldier who fought in the civil war of forty years ago. Now, I submit, in all candor and frankness, to the distinguished gentleman, that there should be more leniency to a widow who is 60 or 70 years old, as I dare say this lady is, than one who is much less in age. That is what I want to impress upon the gentleman, showing that the rule that he applies to this case, that is, to the Mexican-war cases, is a hard rule that does not give to the widow of a Mexican-war soldier, who is presumably more dependent than the other widow, the same consideration that it gives to the widows of the civil war of 1861–1865.

Mr. BROMWELL. Mr. Chairman, I do not know that I care to say anything more. The Mexican-war soldier himself is only entitled to \$12, and it is only in rare cases that the Mexican-war soldier has had his pension increased beyond that. Now, why should the widow of a Mexican-war soldier be given a greater pension than the soldier himself?

Mr. GAINES of Tennessee. Why is the Mexican-war pension only \$12?

Mr. BROMWELL. Because the law fixes it at that.

Mr. GAINES of Tennessee. Why is the law that way?

Mr. BROMWELL. The gentleman can answer that question as well as I can.

Mr. GAINES of Tennessee. Why does not the gentleman change the law?

Mr. BROMWELL. The gentleman from Tennessee can at any time that he pleases bring in a bill changing the rate.

Mr. GAINES of Tennessee. I have been trying five years to get a bill in changing that rate. I say that even when we had a Democratic Congress we have not dealt fairly with the old Mexican soldier, and I do not believe in this case that we are dealing fairly with this widow, who must be an old woman, with three dependent upon her, as we must conclude from the testimony given by the gentleman whose constituent she is. I have been in Congress for nearly five years now and every year I have undertaken to have something done in this matter. There are bills pending now, and I may add there is a bill here which has passed the Senate, and yet it slumbers in the committee room. Why is it, Mr. Chairman, in all conscience and in all fairness, that we have not given the same consideration to the Mexican war soldier that we do to one who has fought in the war with Spain or one who is fighting in the Philippines or one who fought forty years ago? Is it because there are no Mexican soldiers in Congress?

Mr. BROMWELL. May I ask the gentleman a question?

Mr. GAINES of Tennessee. Yes.

Mr. BROMWELL. I have been a member of the Pensions Committee about six years. The gentleman says he has been trying nearly all that time to get Mexican war pensions increased. Now, I do not remember ever to have seen the gentleman before the committee either upon a general bill or a private bill. If he has been so earnest for this increase of pension for Mexican war soldiers, it seems to me he ought to have come before our committee to call the bill up.

Mr. GAINES of Tennessee. I want to say that I have been before the committee when the gentleman was absent. I have in mind now the case then considered—of an old one-eyed Mexican soldier who to-day is a bankrupt, who carried the Stars and Stripes in the Mexican war, who is penniless, whose beard is as white as snow, who is unable to work, and who in the last four or five years has grown so feeble and old that, although I have known him since I was a child, I barely recognized him on the

street a few days ago. He is a farmer and one of God's noble men, and yet in his condition he only received up to last year a poor, little, mean eight-dollar pension from this great Government.

I went before the committee in the absence of the distinguished gentleman from Ohio and stated his case when there were but a few members present; but they repudiated a Senate bill that proposed to give him \$20 a month and gave him the measly little sum of \$12. Now, in all candor and in all frankness, with the greatest respect for the gentleman from Ohio, I say that Congress has not done fairly by these Mexican-war soldiers. It applies to both sides of the House alike. The Democrats have had charge of the Government once since the civil war, and if they did not raise the amount from nothing to something then they did not do their duty.

I do not believe we are now doing our duty if we do not raise the amount in this case. We are not doing our duty if we do not take up the Mexican pension bill that has passed the Senate and pass it here, and that, I dare say, the gentleman knows is before his committee, if he has been there to see about it.

Mr. SMITH of Kentucky. You do not intend to charge that he has not been there?

Mr. GAINES of Tennessee. I do not know whether he has been there or not. I presume he has. The natural course of things is always presumed, and I presume he has been there; but he has been absent, because he was absent when I was there.

Now, Mr. Chairman, I say this in all candor. I criticize the Democrats conditionally, just as I do the Republicans conditionally. I make no distinction. I am here to pass this pension bill, and all other just pension bills. I am here every pension day. These soldiers who carried our flag to victory in Mexico added Territory after Territory to this Union—a Territory for which this House to-day passed a bill to admit into this Union. They are good citizens. It looks, Mr. Chairman, very much like a simple question of favoritism, when we propose to give exceptional pensions to those who served in the Cuban and the Philippine wars and those who served in the civil war and overlook these few old Mexican-war soldiers that are scattered over the country who are allowed the little pitiful sum of \$8. We turn to them deaf ears and cold hands, and give unusual pensions to others not as worthy. If this Government is to be charitable, it ought to be charitable to the soldier in his declining years, and we must know by age alone the old Mexican-war soldier is infirm and needs sadly a fair and just pension, more so than when young and able to work.

Mr. DAVIS of Florida. Just one word, Mr. Chairman, in reference to the amendment. It will not be claimed that there have not been any exceptions made, whatever general rule may have been pursued by the Committee on Pensions. There have been exceptions made, and if ever there was a case brought to the attention of this House deserving of an exception this is one of those cases. I can personally testify to the high and noble character of this good lady, now aged and infirm, dependent, without property and without means. I do beg this committee in this case to grant the increase proposed in the motion of the gentleman from South Carolina and make it \$16 per month. Her husband was a gallant soldier and she is a devoted and deserving widow.

The CHAIRMAN. The Chair understands the gentleman from Florida to make—

Mr. TALBERT. I moved to amend the bill by striking out "twelve" and inserting "sixteen."

The CHAIRMAN. The gentleman moves to strike out "twelve" and insert "sixteen."

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. BROMWELL. Division, Mr. Chairman.

The committee divided; and there were—ayes 29, noes 5.

So the amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ADA V. PARK.

The next business on the Private Calendar was the bill (S. 3331) granting a pension to Ada V. Park.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ada V. Park, widow of Andrew G. Park, late of Company A, First Regiment United States Cavalry, war with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of the minor child of said Andrew G. Park until he reaches the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

ELIZABETH G. GETTY.

The next business on the Private Calendar was the bill (H. R. 12428) granting an increase of pension to Elizabeth G. Getty.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth G. Getty, widow of George W. Getty, late brigadier-general, United States Volunteers, and colonel, United States Army, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JEREMIAH HORAN.

The next business on the Private Calendar was the bill (H. R. 13807) granting a pension to Jeremiah Horan.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jeremiah Horan, late of Company A, First Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$24 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Volunteer;" and in the same line, after the word "Infantry," insert "war with Spain."

In line 8 strike out "twenty-four" and substitute therefor "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ARTHUR J. BUSHNELL.

The next business on the Private Calendar was the bill (H. R. 13395) granting a pension to Arthur J. Bushnell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Arthur J. Bushnell, late of Company A, First Regiment South Dakota Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The amendment recommended by the committee was read, as follows:

After the word "Infantry," in line 7, insert "war with Spain."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA G. YOUNG.

The next business on the Private Calendar was the bill (H. R. 7906) granting a pension to Martha G. Young.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha G. Young, mother of the late John G. Young, of Battery A, Utah Light Artillery, and pay her a pension at the rate of \$25 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "the late;" and in the same line, after the words "John G. Young," insert "late."

In line 7, after the word "Artillery," insert the words "war with Spain." In line 8 strike out "twenty-five" and substitute "twelve;" and add at the end of the bill the words "such pension to cease in the event of the allowance of a pension to the former widow of the said John G. Young to cover any period subsequent to the passage of this act."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM G. DE GARIS.

The next business on the Private Calendar was the bill (H. R. 6030) granting an increase of pension to William G. De Garis.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William G. De Garis, late of Company A, Fourth Regiment Kentucky Volunteer Infantry, Mexican war, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Mexican war" and substitute therefor "war with Mexico."

In line 8 strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY PITMAN.

The next business on the Private Calendar was the bill (H. R. 11395) granting a pension to Mary Pitman.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mary Pitman, widow of William D. Pitman, a soldier of the Indian war of 1836, and allow her a pension at the rate of \$12 per month.

The amendments recommended by the committee were read, as follows:

In line 4, after the words "pension roll," insert "subject to the provisions and limitations of the pension laws."

Strike out all in the bill after the words "William D. Pitman," in line 5, and substitute therefor "late of Capt. Thomas Holland's company, Georgia Volunteers, Florida Indian war, and pay her a pension at the rate of \$8 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NANCY M. GUNSALLY.

The next business on the Private Calendar was the bill (H. R. 12379) granting a pension to Nancy M. Richmond.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy M. Richmond, widow of Lyman M. Richmond, late a member of Company G, First Regiment Michigan Volunteer Infantry, in the war with Mexico, and to pay her a pension of \$12 per month.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "A bill granting a pension to Nancy M. Gunsally."

In line 6 strike out "Nancy M. Richmond" and insert in lieu thereof "Nancy M. Gunsally, former."

In line 7 strike out "a member."

In line 8 strike out "in the;" and in the same line strike out "to."

In line 9, after the word "pension," insert "at the rate."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH WALL.

The next business on the Private Calendar was the bill (H. R. 13423) granting an increase of pension to Elizabeth Wall.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Wall, widow of Dr. John T. Wall, late of Company —, First Regiment Kentucky Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "Doctor."

In line 7, after the word "Company" insert "D;" and in the same line, after the word "Kentucky," insert "Volunteer."

In line 8 strike out "forty" and insert "twelve."

Also, in line 7, after the word "Cavalry," insert "war with Mexico."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM G. CANTLEY.

The next business on the Private Calendar was the bill (H. R. 13332) granting an increase of pension to W. G. Cantley.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of W. G. Cantley, late of Company —, — Regiment Volunteer Infantry, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out "W. G. Cantley, late of Company —, — Regiment Volunteer Infantry," and insert in lieu thereof "William G. Cantley, late orderly sergeant, Capt. James L. Brown's company, South Carolina Volunteers, Florida Indian war."

Change the title so as to read "Granting an increase of pension to William G. Cantley."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY A. BAILEY.

The next business on the Private Calendar was the bill (H. R. 11495) granting an increase of pension to Mary A. Bailey.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Bailey, widow of Charles T. Bailey, late of Companies D and G, Thirty-fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$12 per month and \$2 per month for each of her three minor children until they arrive at the age of 16.

The amendments recommended by the committee were read, as follows:

In line 8, after the word "Infantry," insert "war with Spain."

In lines 9 and 10 strike out "for each of her three minor children until they arrive at the age of 16," and substitute therefor "additional on account of each of the minor children of the said Charles T. Bailey until they reach the age of 16 years."

Amend the title so as to read: "A bill granting a pension to Mary A. Bailey."

The amendments were agreed to.



The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. SNYDER.

The next business on the Private Calendar was the bill (H. R. 13355) granting an increase of pension to William H. Snyder.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Snyder, late of Company C, One hundred and twenty-third Regiment Illinois Volunteers, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "Volunteers," and insert in lieu thereof the words "Volunteer Infantry."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELBERT N. REMSON.

The next business on the Private Calendar was the bill (H. R. 13266) granting an increase of pension to Elbert N. Remson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elbert N. Remson, late of Company H, Third Regiment Veteran Reserve Corps Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Elbert N. Remson, late of Company F, Ninetieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JONAS ALBERT.

The next business on the Private Calendar was the bill (H. R. 2199) to remove the charge of desertion from the military record of Jonas Albert.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Jonas Albert, late of Company D, Seventy-third Regiment Indiana Volunteer Infantry, and to grant him an honorable discharge, to date the 19th day of November, A. D. 1862: *Provided,* That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

Mr. TALBERT. Mr. Chairman, I would like to have the report read in this case. I know there are some worthy cases; I do not say there are not. I want to get the record in this case.

The CHAIRMAN. Without objection, the report will be read in the gentleman's time.

The Clerk read the report (by Mr. BRICK), as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 2199) to remove the charge of desertion from the military record of Jonas Albert, report the same back to the House with the recommendation that it do pass with the following amendment:

Strike out the words "and directed" in line 4.

Your committee, after having carefully considered the record and evidence in this case, believe that the soldier should be relieved from the charge of desertion now standing against him. While it is a fact that he deserted from parole, his faithful service after this desertion of his parole should be taken into consideration; and it is satisfactorily shown that he broke the parole to enter the service, and in doing so did it simply to fight for his country, and not for extra pay or for any reason other than that, about which the record following particular attention is asked. The evidence and record presented to your committee are hereto annexed and made a part of this report.

STATE OF INDIANA, County of St. Joseph, ss:

In the matter of the military record of Jonas Albert, of Middlebury, Elkhart County, Ind.

[To be filed with the Committee on Military Affairs, in connection with House bill No. 9297, Fifty-sixth Congress, first session.]

On this 13th day of November, A. D. 1900, personally appeared before me, a notary public in and for the county and State aforesaid, duly authorized to administer oaths, Jonas Albert, aged — years, whose post-office address is Middlebury, Elkhart County, Ind., and who is a resident of that place, and, being first duly sworn, upon his oath deposes and says, with respect to his military record, as follows:

I was enrolled in the latter part of July, 1862, and was mustered into the service on August 16, 1862, as a private in Company D, Seventy-third Indiana Volunteer Infantry, to serve three years. I proceeded with my company and regiment to Kentucky, and marched with them on Richmond, when we were captured, near Lexington, on or about September 1, 1862. I was paroled, and then, with others in similar circumstances, marched to Maysville; from there we took a boat to Cincinnati. At Cincinnati we took cars to Indianapolis, and there we reported to the adjutant-general. The adjutant-general gave us permission to go home on condition that we promise to hold ourselves in readiness to come to Indianapolis, or Camp Carrington, at any time on notice. Then I went home to Plymouth, Marshall County, Ind. I was there right along till the last week in December, when I received a letter to report at Indianapolis on January 1, 1863.

I went to Indianapolis, and had transportation from Plymouth to Fort

Wayne, and from Fort Wayne to Lafayette, and from Lafayette to Indianapolis. I walked into the adjutant-general's office on the morning of January 1, and there were in the office at the time Governor O. P. Morton and Laz. Noble, the adjutant-general. I went there alone, no other soldier being with me. I then remained at Camp Carrington all the time until March 23, 1863; and during that period, from January 1, 1863, and March 23, 1863, I received some pay from the paymaster which will show that I was present at the camp, subject to orders. On March 23, 1863, I went home to Plymouth again after having the same kind of an understanding as before, that I was to be in readiness to come to Indianapolis on a moment's call.

David Redding and John I. Stockman went with me when I went that time, with the same understanding, as I was told. John I. Stockman went West later on, and I never heard from him again. David Redding has since died. I was home then from March, or the end of March, of 1863, until the fall of that year. I waited patiently for some word to report at Indianapolis, but none came. During my stay at home that time, before going West to enlist, the provost-marshal met me one day at a neighbor's house. The provost-marshal asked me why I was here, and I told him that I was a paroled man, and was waiting for my exchange, as I was constantly under the impression that I had not been exchanged. He asked me to show him my parole, and I took it from my pocket and showed it to him. He studied the matter a moment, and then said, "Have you had no notice of your exchange?"

To this I replied, "No, sir." Then he said to me, "Well, I have not had any notice of your exchange, either, and therefore I can not arrest you."

All this time I kept myself in constant readiness to report and to be exchanged. I waited until the fall, and being anxious to enter the service, and despairing of getting an exchange, I went West, going through Chicago, then to La Crosse, Wis., and Menominee, Wis., and then hearing of the organization of a regiment in Stillwater, Minn., I finally went there and enlisted in the Second Minnesota Cavalry Volunteers, Company K, and served in that company from the winter of 1863, and served faithfully thereafter until May 4, 1866. It was not my desire to desert my duty, but I was anxious to serve my country, and the delay became irksome to me while waiting for orders from Indianapolis. I was constantly ready to go, and willing, and was publicly and openly at home, the county seat of Marshall County (Plymouth), and the circumstances surrounding my presence there were well known. I make this statement from my best recollection, and my personal knowledge, and it is true, and the affidavit is written up at my instruction, and from my statements.

JONAS ALBERT, Affiant.

This affidavit of four pages was fully read and explained to Jonas Albert, who makes the same, and was fully understood by him, and was read to him in my presence, and signed by him in my presence, and being duly sworn he declares that he is the same Jonas Albert who was a private in Company K, Second Minnesota Volunteer Cavalry, and who was also a private in Company D, Seventy-third Indiana Volunteer Infantry, and that the above affidavit is the truth, and he subscribes and swears to the same before me this 13th day of November, A. D. 1900.

[SEAL.]

BLANCHE IRENE GEE,

Notary Public.

(My commission expires August 8, 1904.)

Case of Jonas Albert, late of Company D, Seventy-third Indiana Infantry Volunteers.

A report in this case was furnished the Committee on Military Affairs, United States Senate, on Senate bill No. 5115, Fifty-fifth Congress, third session, January 9, 1899.

Following is a copy:

It is shown by the records that Jonas Albert was enrolled July 29, 1862, and mustered into service August 16, 1862, as a private in Company D, Seventy-third Indiana Infantry Volunteers, to serve three years. He appears to have been present with his company until September 1, 1862, when he was captured by the enemy and paroled at Lexington, Ky. He never rejoined his command, and was therefore reported as having deserted on September 1, 1862. The company remained in service until July 1, 1865. It is further shown by the records that he enlisted on September 15, 1863, in Company K, Second Minnesota Cavalry Volunteers, in violation of the twenty-second (now fifth) article of war. He was mustered into service January 4, 1864, as a private in that organization, and appears to have served faithfully with it until May 4, 1866, when he was mustered out and honorably discharged the service.

"The name of this soldier has not been found on the rolls of any company of the Second Minnesota Infantry on file in this Department."

"Applying for removal of the charge of desertion the soldier testified July 25, 1885, as follows:

"That he entered the United States service under the name of Jonas Albert on or about the 24th day of July, 1862, as private in Company D, Seventy-third Regiment of Indiana Infantry Volunteers, at Plymouth, Ind., commanded by Capt. William Kendall, and was taken prisoner on or about the 1st day of September, 1862, while on retreat from Lexington, State of Kentucky. He further declares that he was paroled the third day of his capture, and that he arrived at Indianapolis, Ind., on the 6th day of September, 1862, and that he reported immediately thereafter to the adjutant-general of Indiana, and that he was told by the adjutant-general to go home and stay till he received further orders, and that on or about the 1st of January, 1863, he received orders to report to the adjutant-general at Indianapolis, and that he did report immediately as ordered, and remained at Camp Carrington, Indiana, to the 23d day of March, 1863. There being no signs of his being exchanged, he returned to Plymouth, Ind., and waited further orders. Not getting any orders to return, he went to Minnesota on or about the last of November, 1863, on a hunting expedition, and while there, on or about the 15th day of December, 1863, was enrolled in Company K, Second Regiment of Minnesota Cavalry Volunteers, commanded by Capt. Henry S. Howe, and was honorably discharged at Fort Snelling, Minn., on the 4th day of May, 1866."

"Adam Holem, a resident of Burroak, Marshall County, Ind., testified July 20, 1885, as follows:

"That Jonas Albert, now a resident of the township of York, county of Elkhart, State of Indiana, entered the United States service under the name of Jonas Albert, on or about the 24th day of July, 1862, as private in Company D, Seventy-third Regiment of Indiana Infantry Volunteers, at Plymouth, Ind., commanded by Capt. William Kendall. He further declares that on or about the 1st day of September, 1862, while on retreat from Lexington, in the State of Kentucky, Jonas Albert and this affiant were taken prisoners under the following circumstances: That they had become footsore and completely tired out, fell behind the command, and were overtaken by the rebels and ordered to surrender; we had been out of the road a short distance after water and when we returned to the road were confronted by the rebels and ordered to surrender. We were released on the third day and returned to the Union lines on the 6th day of September, 1862; immediately thereafter Jonas Albert and this affiant reported to the adjutant-general of the State of Indiana, and were told by him to go home and await further orders."

"Under date of August 22, 1885, David Redding, 45 years of age, a resident of Plymouth, Marshall County, Ind., declared under oath as follows:

"I am well acquainted with said Jonas Albert. I was a member of Company I, Twenty-ninth Indiana. I first got acquainted with said Albert at Camp Carrington, Indianapolis, Ind., either the last part of 1862 or the first part of 1863. I was there as a paroled prisoner, as was also said Albert. I recollect seeing his parole there. He and I and one or more other prisoners, out of curiosity, compared our paroles."

"David Henney, 44 years of age, a resident of Plymouth, Marshall County, Ind., testified August 22, 1885, as follows: 'I was a member of Company D, Seventy-third Indiana Volunteers, and knew and was well acquainted with said Albert while in the service. I was a musician and therefore was not always with the company. The last time I recollect of seeing said Albert with his company was on the retreat at Lexington, Ky., about the 1st of September, 1862. The next time I saw him was some time during the winter of 1863, at Camp Carrington, Indianapolis, Ind. I had been captured myself and released on parole, and myself and Albert and other paroled prisoners were there in camp awaiting exchange. I understood at the time that he had been captured in Kentucky on the retreat from Bragg and Smith's army. I knew that he was reported missing soon after he was missed, but I did not know that he was charged with having deserted until we were there at Camp Carrington together.'

Mr. TALBERT (interrupting the reading). Mr. Chairman, I ask that the further reading of the report be dispensed with. I want to ask the chairman of the committee if this man ever received any bounty. It seems from what I gather from the report that he must have left his command several times.

Mr. BRICK. Mr. Chairman, I can explain that. At the time Jonas Albert entered into the Indiana regiment he received \$25 of the bounty in advance; that left \$75 to be paid later on. He never received any of the other \$75, but he did receive, after having entered the Minnesota regiment at the end of his term, \$100. The \$25, if you desire to figure it, would have been amply earned in the time that he served after his capture and service in the Indiana regiment.

Mr. TALBERT. It is evident that he never intended to desert.

Mr. BRICK. Oh, no; he never did. He entered the Minnesota regiment under his own name. It was not a case of desertion, but a desire to fight for his country.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was considered, and the amendment was agreed to. The bill was laid aside to be reported to the House with a favorable recommendation.

LIZANA D. STREETER.

The next business on the Private Calendar was the bill (H. R. 2430) for the relief of Lizana D. Streeter.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizana D. Streeter, widow of Buell G. Streeter, late surgeon of the Fourth Regiment New York Volunteer Cavalry, and pay her at the rate of \$25 a month.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Fourth," strike out the words "of the."

In line 8, before the word "at," insert the words "a pension."

In the same line, before the word "month," strike out the word "a" and insert in lieu thereof the word "per."

Amend the title so as to read: "A bill granting a pension to Lizana D. Streeter."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN SMITH.

The next business on the Private Calendar was the bill (H. R. 2623) granting an increase of pension to John Smith.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John Smith, Company A, Fifth United States Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Smith, late of Company D, Fifth Regiment Pennsylvania Volunteer Cavalry, and Troop A, Fifth Regiment United States Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHRISTOPHER C. PERRY.

The next business on the Private Calendar was the bill (H. R. 1695) granting an increase of pension to Christopher C. Perry.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Christopher C. Perry, late of the First Independent Battery New Hampshire Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "the."

In line 7, after the words "New Hampshire," insert the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

STEPHEN HARRIS.

The next business on the Private Calendar was the bill (H. R. 3517) granting an increase of pension to Stephen Harris.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen Harris, late of Company I, Ninety-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Infantry," insert the words "and Company C, Seventh Regiment New York Heavy Artillery."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "fourteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS P. MAY.

The next business on the Private Calendar was the bill (H. R. 4262) granting an increase of pension to Thomas P. May.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas P. May, late of Company G, Seventeenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GARRETT STANLEY.

The next business on the Private Calendar was the bill (H. R. 7150) granting a pension to Garrett Stanley.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject otherwise to the provisions and limitations of the pension laws, the name of Garrett Stanley, late of Company C, First Regiment of United States Florida Cavalry Volunteers, and pay him a pension at the rate of \$24 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Garrett Stanley, late of Company C, First Regiment Florida Volunteer Cavalry, and pay him a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NANCY M. WILLIAMS.

The next business on the Private Calendar was the bill (H. R. 7353) granting a pension to Nancy M. Williams.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy M. Williams, widow of Thomas B. Williams, surgeon, of the One hundred and twenty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$24 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Williams," insert the word "late."

In line 9 strike out the word "twenty-four" and insert in lieu thereof the word "twenty-five."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM BROWN.

The next business on the Private Calendar was the bill (H. R. 7401) granting an increase of pension to William Brown.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Brown, late private of Company B, Sixty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month, the same to be in lieu of the pension now received by him.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "private."

In line 8, after the word "thirty," insert the word "six."



In same line strike out the words "the same to."  
Strike out all of line 9 and insert in lieu thereof the following: "in lieu of that he is now receiving."

The amendments were agreed to.  
The bill as amended was ordered to be laid aside with a favorable recommendation.

PETER BUCKLEY.

The next business on the Private Calendar was the bill (H. R. 7778) granting a pension to Peter Buckley.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Buckley, late of Company E, Eleventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$10 per month.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY P. HUDSON.

The next business on the Private Calendar was the bill (H. R. 1715) granting an increase of pension to Henry P. Hudson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry P. Hudson, late of Company G, Twelfth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Hudson," insert the words "formerly Henry P. Dow."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "forty."

Amend the title so as to read: "A bill granting an increase of pension to Henry P. Hudson, formerly Henry P. Dow."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIAS A. CALKINS.

The next business on the Private Calendar was the bill (H. R. 9437) granting a pension to Elias A. Calkins.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Elias A. Calkins, late lieutenant-colonel of Third Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$72 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elias A. Calkins, late lieutenant-colonel Third Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Elias A. Calkins."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

OTIS R. FREEMAN.

The next business on the Private Calendar was the bill (H. R. 10201) to increase the pension of O. R. Freeman.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of O. R. Freeman, late a major and surgeon of the Tenth New Jersey Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Otis R. Freeman, late surgeon Tenth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Otis R. Freeman."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIET T. MILBURN.

The next business on the Private Calendar was the bill (H. R. 10752) granting a pension to Harriet T. Milburn, widow of John T. Milburn, deceased.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet T. Milburn, widow of John T. Milburn, deceased, late captain Company B, Tenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6 strike out the word "deceased."  
In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

Amend the title so as to read: "A bill granting a pension to Harriet T. Milburn."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. DE GRAW.

The next business on the Private Calendar was the bill (H. R. 11921) granting an increase of pension to George W. De Graw.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. De Graw, late corporal of Company B, One hundred and fifty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6 strike out the word "corporal."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELEANOR EMERSON.

The next business on the Private Calendar was the bill (H. R. 12983) granting an increase of pension to Eleanor Emerson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eleanor Emerson, formerly the wife of Warren C. Emerson, late a major and paymaster of volunteers, and pay her a pension at the rate of \$30 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all of lines 6, 7, and 8, and insert in lieu thereof the following: "of Eleanor Emerson, widow of Warren C. Emerson, late major and additional paymaster, United States Volunteers, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWIN BECKWITH.

The next business on the Private Calendar was the bill (H. R. 13378) granting an increase of pension to Edwin Beckwith.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin Beckwith, late of Company K, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of ——— dollars per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8, before the word "dollars," insert the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN G. HEISER.

The next business on the Private Calendar was the bill (H. R. 13646) granting an increase of pension to John G. Heiser.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. Heiser, late of Company A, Seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 7, after the word "Pennsylvania," insert the word "Reserve."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN MILLER.

The next business on the Private Calendar was the bill (H. R. 14079) granting an increase of pension to John Miller.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Miller, late of Company G, Fifty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SAMANTHA B. VAN BROCKLIN.

The next business on the Private Calendar was the bill (H. R. 14099) granting a pension to Samantha B. Van Brocklin.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samantha B. Van Brocklin, widow of George S. Van Brocklin, late of Company C, Fiftieth Regiment New York Volunteer Engineers, and pay her a pension at the rate of \$8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MARY C. BICKERSTAFF.

The next business on the Private Calendar was the bill (H. R. 14118) granting a pension to Mary C. Bickerstaff.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Bickerstaff, widow of William J. Bickerstaff, late of Company E, Twelfth Regiment Tennessee Cavalry Volunteers, and pay her a pension at the rate of \$12 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In lines 7 and 8 strike out the word "Volunteers;" and in line 7, before the word "Cavalry," insert the word "Volunteer."

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE H. YOUNG.

The next business on the Private Calendar was the bill (H. R. 12777) granting a pension to George H. Young.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. Young, late of Company H, One hundred and Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the word "captain."

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to George H. Young."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM F. HORN.

The next business on the Private Calendar was the bill (S. 5294) granting an increase of pension to William F. Horn.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Horn, late of Company A, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY W. EDENS.

The next business on the Private Calendar was the bill (S. 4256) granting an increase of pension to Henry W. Edens.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry W. Edens, late of Company D, Thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALFRED M. WHEELER.

The next business on the Private Calendar was the bill (S. 2347) granting an increase of pension to Alfred M. Wheeler.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred M. Wheeler, late of Company C, Sixth Regiment Missouri Volunteer Cavalry, and Company D, Fourteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HALLOWELL GODDARD.

The next business on the Private Calendar was the bill (S. 4455) granting an increase of pension to Hallowell Goddard.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hallowell Goddard, late of

Company A, Eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL S. BEAVER.

The next business on the Private Calendar was the bill (S. 500) granting a pension to Samuel S. Beaver.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel S. Beaver, late of Company G, Third Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

PAUL FUCHS.

The next business on the Private Calendar was the bill (S. 4979) granting a pension to Paul Fuchs.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Paul Fuchs, late second lieutenant Company A, Fifty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY F. ZOLLINGER.

The next business on the Private Calendar was the bill (S. 182) granting a pension to Mary F. Zollinger.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary F. Zollinger, widow of Charles A. Zollinger, late colonel One hundred and twenty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS FINNEGAN.

The next business on the Private Calendar was the bill (H. R. 10172) granting a pension to Thomas Finnegan.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Finnegan, late second-class fireman, United States steamship Housatonic, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all in lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Thomas Finnegan, late second-class fireman, United States steamship Housatonic, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Thomas Finnegan."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE G. SABIN.

The next business on the Private Calendar was the bill (H. R. 13398) granting an increase of pension to George G. Sabin.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George G. Sabin, late of Company D, Sixth Regiment Ohio Volunteers and Ninth Regiment New York Heavy Artillery Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In same line, before the word "Ninth," insert the words "Company H."

In same line, after the words "New York," insert the word "Volunteer."

In line 8 strike out the word "Volunteers."

In lines 8 and 9 strike out the word "thirty-six" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HORATIO N. WHITBECK.

The next business on the Private Calendar was the bill (H. R. 12800) granting an increase of pension to Horatio N. Whitbeck.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horatio N. Whitbeck, late colonel Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$75 per month in lieu of that he is now receiving.



The amendments recommended by the committee, which are set forth in the report, were read.

Mr. TALBERT. Mr. Chairman, I should like to have the report in that case read. That is a pretty big pension.

The CHAIRMAN. Without objection, the report will be read in the gentleman's time.

The report (by Mr. SAMUEL W. SMITH) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12800) granting an increase of pension to Horatio N. Whitbeck, submit the following report:

This bill proposes to increase the pension of this officer from \$30 to \$75 per month.

Horatio N. Whitbeck, the officer named in this bill, now 65 years of age, is shown by the records of the War Department to have served as second lieutenant and captain of Company E, Sixty-fifth Ohio Volunteers, and as major and lieutenant-colonel of the same regiment from October 2, 1861, to August 16, 1865, when honorably discharged by reason of physical disability.

The medical certificate upon which his discharge was based sets forth as follows:

"Lieut. Col. Horatio N. Whitbeck, of the Sixty-fifth Regiment Ohio Veteran Volunteers, having applied for a certificate upon which to base an extension of sick leave of absence, I do hereby certify that I have carefully examined this officer and find him to be suffering from the effects of a gunshot wound of the left breast and lung (the missile not extracted) received at the battle of Kenesaw Mountain, June 27, 1864. The wound having recently broken out anew renders this officer unfit for duty."

"I further declare my belief that he will not be able to return to his duties in a less period than twenty days."

"Dated at Berea, Ohio, this 30th day of July, 1865."

"Z. B. DISBRO, M. D."

The officer has been a pensioner ever since his discharge at \$30 per month for this gunshot wound of the chest, left arm, and back; was reduced, however, to \$22.50 per month on the biennial examination of 1877, but was again restored to the original rating of \$30 per month from the date of reduction, and is now in receipt of that pension.

He never applied for increase of pension since the action of the Pension Bureau in 1878 restoring him to the original rating of \$30 per month from June, 1877.

When last examined, on January 2, 1878, the board of surgeons described his disabilities as follows:

"Gunshot wound of left side of chest. The ball entered the inner third of left clavicle, fracturing that bone and first rib. No wound of exit, or evidence as to course of ball. Results are removal of fragments of bone, with consequent depression and weakness in left arm and shoulder. Respiration at present seems unimpaired. Complaints of pain, shortness of breath, and cough at times, which seem probable."

"Gunshot wound of left arm, side, and back. Ball passed through the posterior surface of the arm at the middle third, with exit 2 inches from point of entrance, reentered the lower margin of the scapula of the same side, passing transversely across the back, fracturing the lower border of the right scapula, with exit at ribs side at point of fracture of scapula. Ball passed in its course posterior to spinal column and through muscles of back."

The wounds of the left arm and left shoulder were received at Chickamauga on September 19, 1863.

There has been filed with your committee the affidavit of Dr. G. J. Jones, of Cleveland, Ohio, setting forth that he made an examination of the beneficiary on May 3, 1902; that he found scars of the gunshot wound of the chest, left breast, and back; that he had treated him frequently for the last twenty-seven years; that he had been totally unable to perform any manual labor during the whole of that time; that he is suffering from frequent attacks of bronchitis and laryngitis, many times losing his voice, which is always weak and uncertain; that he also suffers from acute attacks of articular rheumatism and disturbed action of the heart, which is enlarged and dilated; that in consequence of this he has frequent attacks of general prostration, running several days, when he is scarcely able to sit up; that he requires to be under the care of a physician most of the time, and that he is entirely dependent upon the pension of \$30 per month, which is inadequate for him to do justice to himself.

Other proof filed with your committee shows that by reason of the wound of the chest the officer's organs of speech were so injured as to almost deprive him of the power of speaking audibly; that his loss of voice totally disabled him from engaging in business; that he has been subject to frequent attacks of physical prostration, requiring residence in a hospital and daily medical attendance, and at times medical attendance two or three times a day; that as he advances in years, in addition to the suffering from the gunshot wounds received during his four years' service in the Army of the Cumberland, he has been subject to acute rheumatic attacks, and of late years has been suffering from rheumatism and lung affections; that he has no property of any kind, is a physical wreck, and that a change of climate is absolutely necessary in his case during the severe winter months, etc.

There has also been filed with your committee a resolution adopted by Memorial Post, No. 141, G. A. R., of Cleveland, Ohio, petitioning Congress, in view of the long term of gallant and patriotic services and of the severe wounds and suffering of this officer, to grant him a pension at the rate of \$100 per month; also a statement signed by Hon. WASHINGTON GARDNER, a member of this House, setting forth that he was constantly with the officer in the service, except when he was absent on account of his wounds, and that he can say without hesitation or reservation that it is simply impossible for the Government to compensate him in money for the services that he performed, for the risks he took upon his life, and for the sufferings which he has endured and will continue to endure till the end of his life, in behalf of his country, etc.

In view of the gallant and meritorious services of this officer, the wounds received by him in action, his suffering and destitution, your committee believes that a grateful country can well afford to come to his relief, and an increase of his pension from \$30 to \$80 per month is recommended, and the bill is reported back with the recommendation that it pass after the same shall have been amended as follows:

In line 6, before the word "Colonel," insert the word "Lieutenant."

In line 8 strike out the word "seventy-five" and insert in lieu thereof the word "sixty."

Mr. TALBERT. Mr. Chairman, I do not know much about the medical names mentioned in this report. I move to amend the amendment by striking out "sixty" and inserting in lieu thereof "fifty."

The CHAIRMAN. The gentleman from South Carolina moves to amend by striking out "sixty" and inserting "fifty."

Mr. GARDNER of Michigan. Mr. Chairman, I hope this

amendment will not prevail. I am not out of sympathy with the gentleman from South Carolina in his watchfulness of the special pension legislation; but I am happy always to say a word in behalf of worthy individual cases of which I have knowledge.

This officer, having been promoted from captain to major, commanded the regiment of which I was a member in the battle of Stone River, where he was first wounded. He recovered sufficiently to command it again at the battle of Chickamauga, where he was severely wounded.

Thirty-eight years ago next Wednesday I myself was wounded on the line at Resaca. I think I owe my life to this man, for when it was reported to him that I was hurt he directed that I be carried back and have immediate medical attention. On the 27th of June following he received a gunshot wound in the side, which entered his lung and remains there to this day.

I have seen him several times since the war, and for many years after the war he was unable to speak above a whisper. He has been a constant sufferer from this last wound, particularly, for nearly thirty-eight years. When the first colonel of the regiment was fatally shot in the assault on Kenesaw Mountain, Colonel Whitbeck received what was thought to be a mortal wound. The captain who succeeded to the command of the regiment was shot dead immediately after him. Colonel Whitbeck wrote me two years ago that his pension did not pay his expenses when he was compelled to be cared for in hospitals. I know this soldier well, for I served three years with him. The Government is not able to pay him for what he has done and what he has suffered for this country of ours. For thirty-eight years his life has been a living sacrifice. No words that I can say can add to his heroism and his worth as a man. He gave up a business of much promise when he went into the war, sacrificing everything. He was unable to do business after he returned. He has been a constant sufferer, and now needs this increase of pension to enable him to be properly cared for in his necessities and suffering old age.

I know if my friend from South Carolina [Mr. TALBERT] knew him as I know him, and saw him as I saw him fall in three battles in the war, if he knew his valor and virtue as a man as I know it, he would unite with his comrades in Cleveland who petitioned that this be made a hundred dollars a month as the minimum of what he is entitled to because of his services.

I hope the amendment will not be adopted, but that the bill will be passed at \$60 a month, as fixed by the committee.

Mr. TALBERT. Mr. Chairman, I have no doubt every word the gentleman has stated is true; and no man has a greater regard for the patriotism, the bravery, and the heroism of the soldier than I do, whether he wore the blue or whether he wore the gray. But in considering this matter it seems to me, these being the facts, that this pension ought to have been increased at the Pension Bureau; and I fail to understand, these being the facts, why it is his pension could not have been continually increased until it reached the maximum of \$72 per month at the Bureau.

But what I object to, and what I think is wrong, is for applicants who have failed at the Pension Bureau to get their pensions increased, after trial after trial, that they should come here for special legislation. It does not seem to me that it is right to come to Congress, as a court of appeals, and override the decisions of the Pension Bureau, which has its boards of examiners and every means of investigation to determine whether or not these claims are just and proper; and after thinking of this and after listening to the reading of the report, it seems to me that it will be ample to allow this hero, for he was a hero, I know, \$50 per month. It seems to me that that is sufficient when you consider the mere pittance that you are giving the poor private soldiers, whose heroism and disinterested patriotism eclipses the mere laurels of the ranking officer—the man that stands in the front rank all the time.

I can not understand why gentlemen here should advocate such excessive pensions for officers; that they do not advocate as much for the private soldier and his widow as they give to the officer and his widow. I do maintain here and submit now and forever that the private soldier and his widow and children deserves as much, if not more, consideration than the officer, his widow, and children. Now, I am not willing to make this more than \$50. I think that is quite liberal, and I hope my amendment will prevail. I submit to the committee that I have no idea of calling a quorum; there is not a quorum here, but I do not propose to call for a quorum. If the committee desires to retain it at \$60, well and good. I am not willing to vote for more than \$50, and will content myself with entering only my protest.

Mr. GARDNER of Michigan. Mr. Chairman, just one word. This man, according to the report of the committee, has never applied for an increase of pension since the action of the Pension Bureau in 1878, restoring him to the original pension rate of \$30 a month. Here is a soldier of splendid battle record who has not been seeking an increase of pension except a restoration. There

was a time when he was treasurer of Cuyahoga County, of which Cleveland is the county seat.

Mr. TALBERT. Does not the gentleman think it was the place for him to go? Why did he not seek this increase of pension at the proper place?

Mr. GARDNER of Michigan. I can not answer that, because I have not talked with him about it.

Mr. TALBERT. Mind you, I am not objecting to anything he is entitled to. If his disabilities entitle him to \$72 a month he ought to have it, and the Bureau ought to give it to him liberally, and I believe he could get it there.

Mr. GARDNER of Michigan. Just one word further. He has not made the application. Why I do not know. But he certainly has not been a "pension mendicant," seeking time and again to have his pension increased. It is said by those who know him that he will not live a year. I do not know how that is; I hope he will live many years; but that does not alter his necessities nor the justice of his case.

One word about the private and the officer. I was a soldier in the ranks, and when it comes to the man who commanded a regiment and took the responsibilities of a thousand or less men in battle, in camp, on the march, everywhere—I speak now as a soldier who carried a musket—he is entitled to more than the man who simply fired his gun when he was told to. In saying that I detract nothing from the man in the ranks. The world has always recognized the burden of responsibility, and in proportion to the measure of responsibility has it bestowed the measure of its rewards. This is no exception; not even in the amount granted as a pension.

Mr. TALBERT. The law recognizes that distinction.

Mr. GARDNER of Michigan. Yes.

Mr. SULLOWAY. Mr. Chairman, if I may be pardoned just a word. This I believe to be as meritorious a case as has been brought into this committee by the committee I am a member of. This officer was shot in the breast and has a bullet in his lungs or in the vicinity, and it has been there all these years. He is a total wreck and has been a great sufferer. He ought to have been allowed \$72 a month at the Bureau beyond any question. My friend asks why he was not. That is one of the things God never intended that I should know, for I can not find out. [Laughter.] They are not allowed what they ought to be down there, and possibly because they are not and because the evidence in this case is absolutely conclusive we have recommended \$60 when we ought to have recommended \$72. We almost always scale under in order that we may have the confidence of this body, and I hope the gentleman from South Carolina will not insist on his amendment.

Mr. GROSVENOR. Mr. Chairman, I would like to add a little something to the professed problem that the gentleman from South Carolina has put to the committee, and I will give him an illustration of how these things are done. There was a soldier in my district by the name of Palmer; he was a good soldier; served entirely through the war as a private. He secured for the disease of rheumatism a pension of \$10 or \$12 a month. He had a very bad case of rheumatism, that grew on him from time to time, and his eyesight began to fail; and while his rheumatism grew in intensity the eyesight grew more and more feeble. At last he went totally blind, just as blind as a man could be with both eyes dug out.

I worked with the best testimony that could be produced. Physicians of eminent distinction testified that they had treated him, that they knew all about the development of his case, absolutely knew to a moral certainty that the rheumatism and the accompaniments, the incidental conditions that grew out of it, produced that blindness. The Bureau of Pensions stood there stolidly, saying that under their rules blindness never came from rheumatism, and that is all there was of it. They rejected all the testimony of these eminent physicians; they rejected all the teachings of the books, and just stood there impervious to common sense and to the evidence that they had. What are you going to do with a concern like that? I succeeded in getting the committee to report a bill for \$40 a month and the Senate cut it down to \$30, but I am willing to take it, when I can get it, as the best I can do.

The gentleman puts a problem that he can not answer and no other man can answer—a problem that no power can answer except the omnipotent power of the Almighty. Such a combination of organized self-stultification was never formed in the history of mankind. That is all there is about this matter.

Mr. TALBERT. I have no doubt of the facts as stated, and I believe that in the case to which the gentleman from Ohio has referred a pension of \$72 a month ought to have been granted under the law. But the man here mentioned did apply to the Pension Bureau, where, for some unknown reason—on account of some technicality or of some abstract rule—the pension could not be granted, although doubtless the officers were honest in their action. But in this other case the officer did not apply. I believe he has not applied at all for any increase of pension, and in view

of that fact and knowing that these disabilities are the result of wounds received in the service, are traceable to service origin, I withdraw my amendment. I am willing to let the matter go, because the man has not appeared at all to ask for anything, as was done in the case stated by the gentleman from Ohio. I will not knowingly or intentionally do an old hero an injustice if I know my own heart.

The question being taken on the amendments reported by the committee, they were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ELIZABETH C. VINCENT.

The next business on the Private Calendar was the bill (S. 4293) granting an increase of pension to Elizabeth C. Vincent.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth C. Vincent, widow of Strong Vincent, late colonel Eighty-third Regiment Pennsylvania Volunteer Infantry, and brigadier-general, United States Volunteers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DE WITT C. BENNETT.

The next business on the Private Calendar was the bill (S. 288) granting an increase of pension to De Witt C. Bennett.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of De Witt C. Bennett, late of Company F, Nineteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RUTH H. FERGUSON.

The next business on the Private Calendar was the bill (S. 2755) granting a pension to Ruth H. Ferguson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ruth H. Ferguson, helpless and dependent daughter of William P. Ferguson, late captain Company D, Third Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JOSEPH D. HAZZARD.

The next business on the Private Calendar was the bill (S. 4865) granting an increase of pension to Joseph D. Hazzard.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph D. Hazzard, late first lieutenant Company D, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARIA J. WILSON.

The next business on the Private Calendar was the bill (S. 2950) granting an increase of pension to Maria J. Wilson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maria J. Wilson, widow of Julius A. Wilson, late of Company C, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "twenty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM E. ANDERSON.

The next business on the Private Calendar was the bill (H. R. 11858) for the relief of William E. Anderson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby is, authorized and directed to so amend the military record of William E. Anderson, Company H, Third United States Artillery, as to show him honorably discharged to date June 18, 1847.

The amendment recommended by the committee was read, as follows:

Add to the bill the following: "Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The amendment was agreed to.



The bill as amended was ordered to be laid aside with a favorable recommendation.

Mr. SULLOWAY. I move that the committee now rise and report to the House the various bills which have been acted on.

GOTTLIEB C. ROSE.

Mr. VANDIVER. Before the gentleman presses that motion I ask him to yield a moment. I discover, Mr. Chairman, that the bill (S. 35) for the relief of Gottlieb C. Rose—No. 1371 on the Calendar—has not been considered, for the reason that, technically speaking, it does not come exactly within the rule. Yet it has been reported from the Committee on Military Affairs, and is practically of the same nature as other bills which have been acted on. I therefore ask unanimous consent that it be now considered.

The CHAIRMAN. Upon further consideration, since the matter was mentioned between the gentleman from Missouri [Mr. VANDIVER] and the Chair, the Chair is constrained to state that as the Committee of the Whole is operating under specific rules which apply specially to particular classes of bills and none others, it seems to the Chair hardly competent for the Committee of the Whole to take up a bill of this kind. The Chair is so advised, and feels that perhaps it would be better for the gentleman from Missouri to bring this bill up at another time, when there can be no question in regard to the rule under which it is presented.

Mr. VANDIVER. I respectfully submit to the ruling of the Chair, although I thought that this bill was so nearly of the same character with some which had been acted upon that it might be disposed of in the same way.

The CHAIRMAN. Upon further examination of the bill by the Chair and by those with whom the Chair has consulted, the Chair is constrained to believe that the bill referred to by the gentleman would not come within the rule under which the Committee of the Whole is now operating.

Mr. SULLOWAY. Mr. Chairman, I renew my motion that the committee rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore (Mr. LACEY) having taken the chair as Speaker pro tempore, Mr. CAPRON, Chairman of the Committee of the Whole, reported that that committee had had under consideration sundry bills and had directed him to report the same back to the House, some with amendments and some without, and recommend that the bills, with the several amendments, do pass.

#### DIPLOMATIC AND CONSULAR SERVICE OF CUBA.

Mr. HITT. Mr. Speaker, before proceeding to the consideration of the bills reported back from the Committee of the Whole, I ask unanimous consent of the House to have a conference committee appointed on the diplomatic and consular appropriation bill, reported from the Senate to-day, and move that the House nonconcur in the Senate amendment and ask a conference thereon.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to take up the bill (H. R. 13996) making appropriations for the diplomatic and consular service of the republic of Cuba.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I would like to ask the gentleman from Illinois if this is a general diplomatic and consular bill?

Mr. HITT. No. It is a bill prepared to provide for the diplomatic and consular service for the republic of Cuba.

Mr. RICHARDSON of Tennessee. It is simply now to put it in conference?

Mr. HITT. That is all.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question now is on the motion of the gentleman from Illinois that the House nonconcur in the Senate amendments and ask for a conference.

The motion was agreed to; and the Speaker pro tempore announced the following conferees on the part of the House: Messrs. HITT, ADAMS, and DINSMORE.

#### BILLS ON THE PRIVATE CALENDAR.

Mr. GIBSON. Mr. Speaker, I ask unanimous consent that the previous question be considered as ordered on all of the bills reported from the Committee of the Whole and the amendments to their final passage.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the previous question be considered as ordered on the bills reported from the Committee of the Whole and amendments to their final passage. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

#### PENSION BILLS, ETC., PASSED.

The House proceeded to the consideration of the bills reported from the Committee of the Whole House; and House bills of the

following titles, reported from the Committee of the Whole without amendment, were taken up, ordered to be engrossed, and read a third time; and they were accordingly read the third time, and passed:

H. R. 8401. A bill granting an increase of pension to Henry E. Murphy;

H. R. 12428. A bill granting an increase of pension to Elizabeth G. Getty;

H. R. 4262. A bill granting an increase of pension to Thomas P. May;

H. R. 7778. A bill granting a pension to Peter Buckley;

H. R. 14079. A bill granting an increase of pension to John Miller; and

H. R. 14099. A bill granting a pension to Samantha B. Van Brocklin.

House bills of the following titles, reported from the Committee of the Whole with amendments, were severally taken up, the amendments concurred in, the bills as amended ordered to be engrossed and read a third time; and they were accordingly read the third time, and passed:

H. R. 11196. A bill granting a pension to Abbie Bourke;

H. R. 13529. A bill granting an increase of pension to Francis C. Baker;

H. R. 13174. A bill granting an increase of pension to Ransford T. Chase;

H. R. 7040. A bill granting an increase of pension to Benjamin Grinnell;

H. R. 8414. A bill granting an increase of pension to George Atkinson;

H. R. 13597. A bill granting an increase of pension to Edmund B. Appleton;

H. R. 8487. A bill granting a pension to John M. Crist (title amended);

H. R. 13891. A bill granting a pension to Hiram A. Sheldon;

H. R. 12377. A bill granting a pension to Capt. Enoch Voyles (title amended);

H. R. 7021. A bill granting an increase of pension to Henry Forcht;

H. R. 5321. A bill granting a pension to Lillie May Fifield;

H. R. 2787. A bill granting a pension to Cornelia S. Ribble (title amended);

H. R. 7319. A bill granting an increase of pension to Mrs. F. H. Anthony (title amended);

H. R. 2563. A bill granting an increase of pension to Robert R. Strong;

H. R. 7382. A bill granting a pension to Jacob Mock;

H. R. 1741. A bill granting an increase of pension to Griffith Evans (title amended);

H. R. 8924. A bill granting an increase of pension to George W. Mathews;

H. R. 12562. A bill granting an increase of pension to William H. Temple;

H. R. 12047. A bill granting an increase of pension to Jackson L. Wilson;

H. R. 12779. A bill granting an increase of pension to George Chamberlain (title amended);

H. R. 13467. A bill granting a pension to Joseph H. Woodniff (title amended);

H. R. 7679. A bill granting an increase of pension to Franklin Snyder;

H. R. 5887. A bill granting an increase of pension to Morris M. Comstock;

H. R. 13081. A bill granting an increase of pension to Anthony J. Bailey;

H. R. 13807. A bill granting a pension to Jeremiah Horan;

H. R. 13395. A bill granting a pension to Arthur J. Bushnell;

H. R. 7906. A bill granting a pension to Martha G. Young;

H. R. 6030. A bill granting an increase of pension to William G. De Garis;

H. R. 11395. A bill granting a pension to Mary Pitman;

H. R. 12279. A bill granting a pension to Nancy M. Richmond (title amended);

H. R. 13423. A bill granting an increase of pension to Elizabeth Wall;

H. R. 13332. A bill granting an increase of pension to W. G. Cantley (title amended);

H. R. 11495. A bill granting an increase of pension to Mary A. Bailey (title amended);

H. R. 13355. A bill granting an increase of pension to William H. Snyder;

H. R. 13266. A bill granting an increase of pension to Elbert N. Remson;

H. R. 2199. A bill to remove the charge of desertion from the military record of Jonas Albert;

H. R. 2430. A bill for the relief of Lizana D. Streeter (title amended);

H. R. 2623. A bill granting an increase of pension to John Smith;

H. R. 1695. A bill granting an increase of pension to Christopher C. Perry;

H. R. 3517. A bill granting an increase of pension to Stephen Harris;

H. R. 7150. A bill granting a pension to Garrett Stanley;

H. R. 7353. A bill granting a pension to Nancy M. Williams;

H. R. 7401. A bill granting an increase of pension to William Brown;

H. R. 1715. A bill granting an increase of pension to Henry P. Hudson (title amended);

H. R. 9437. A bill granting a pension to Elias A. Calkins (title amended);

H. R. 10201. A bill granting an increase of pension to O. R. Freeman (title amended);

H. R. 10752. A bill granting a pension to Harriet T. Milburn, widow of John T. Milburn, deceased (title amended);

H. R. 11921. A bill granting an increase of pension to George W. De Graw;

H. R. 12983. A bill granting an increase of pension to Eleanor Emerson;

H. R. 13378. A bill granting an increase of pension to Edwin Beckwith;

H. R. 13646. A bill granting an increase of pension to John G. Heiser;

H. R. 14118. A bill granting a pension to Mary C. Bickerstaff;

H. R. 12777. A bill granting a pension to George H. Young (title amended);

H. R. 10172. A bill granting a pension to Thomas Finnegan (title amended);

H. R. 13398. A bill granting an increase of pension to George G. Sabin;

H. R. 12800. A bill granting an increase of pension to Horatio N. Whitbeck; and

H. R. 11858. A bill for the relief of William E. Anderson.

Senate bills of the following titles, reported from the Committee of the Whole with amendments, were severally taken up, the amendments concurred in, and the bills as amended were ordered to a third reading, read the third time, and passed:

S. 3992. An act granting an increase of pension to David M. McKnight;

S. 2336. An act granting a pension to Rebecca Coppinger;

S. 4506. An act granting an increase of pension to Ann E. Collier;

S. 2036. An act granting an increase of pension to Etta Adair Anderson; and

S. 2951. An act granting an increase of pension to Maria J. Wilson.

Senate bills of the following titles, reported from the Committee of the Whole House without amendment, were severally taken up, ordered to a third reading, read the third time, and passed:

S. 5337. An act granting an increase of pension to Marietta L. Adams;

S. 4004. An act granting an increase of pension to Thomas L. Nelson;

S. 2461. An act granting an increase of pension to George McDowell;

S. 1593. An act granting an increase of pension to Eben C. Winslow;

S. 3999. An act granting an increase of pension to Emma S. Hanna;

S. 4238. An act granting an increase of pension to Philo F. Englesby;

S. 3279. An act granting a pension to John Coolen;

S. 3331. An act granting a pension to Ada V. Park;

S. 5294. An act granting an increase of pension to William F. Horn;

S. 4256. An act granting an increase of pension to Henry W. Edens;

S. 2347. An act granting an increase of pension to Alfred M. Wheeler;

S. 4455. An act granting an increase of pension to Hallowell Goddard;

S. 500. An act granting a pension to Samuel S. Beaver;

S. 4979. An act granting an increase of pension to Paul Fuchs;

S. 182. An act granting a pension to Mary F. Zollinger;

S. 4293. An act granting an increase of pension to Elizabeth C. Vincent;

S. 288. An act granting an increase of pension to De Witt C. Bennett;

S. 2755. An act granting a pension to Ruth H. Ferguson; and

S. 4865. An act granting an increase of pension to Joseph D. Hazzard.

On motion of Mr. GIBSON, a motion to reconsider the votes by which the several bills were passed was laid on the table.

## COMMUTATION OF HOMESTEAD ENTRIES.

Mr. BURKE of South Dakota. Mr. Speaker, I move that the House concur in the Senate amendment to the bill (H. R. 9037) to allow the commutation of homestead entries in certain cases. The Senate amendment was read.

Mr. McRAE. Mr. Speaker, what is this amendment?

Mr. BURKE of South Dakota. Mr. Speaker, I will state to the gentleman that in the Fifty-sixth Congress an act was passed granting to homestead settlers who had commuted their homesteads, or who from any cause had never received any benefit under the homestead act, the right to make a second homestead entry. The Department, in construing that act, held that a homesteader who made final entry by paying for his land, and who could have had the benefit of the free homes' law had he not made such payment, was not entitled to make a second entry; that is, a settler who had commuted could make a second entry, but a settler who had lived upon his land for the full period of five years and then paid for his land could not make a second homestead entry.

Mr. McRAE. Did you ever find anybody who would live on a piece of land for five years and then pay for it, too?

Mr. BURKE of South Dakota. Yes; we have had a very few of those cases, and it only affects those few.

Mr. McRAE. It seems to me that a man of that kind ought to have a guardian.

Mr. BURKE of South Dakota. Well, he certainly ought to have the same privileges that are given to the man who only lives on his land fourteen months and then commutes by paying for it.

Mr. McRAE. A man who would pay a dollar and a quarter an acre for his land when he did not need to ought to have his money back.

Mr. BURKE of South Dakota. There were some such cases. Mr. McRAE. I have no possible objection to the amendment, if that is what it relates to.

The SPEAKER pro tempore. The amendment enlarges somewhat the scope of the original bill. It will require unanimous consent to consider it in this way. The Chair therefore submits the question as to whether these amendments to this bill shall now be considered. Is there objection?

Mr. SIMS. What is this, a pension bill?

The SPEAKER pro tempore. It is a bill on the Speaker's table; a House bill with a Senate amendment.

Mr. SIMS. Is it on the Private Calendar?

The SPEAKER pro tempore. It is on the Speaker's table.

Mr. SIMS. How can we consider it in a pension session?

The SPEAKER pro tempore. The other bills have been disposed of, and this, being upon the Speaker's table, has been called up because it is unfinished business. Is there objection to the consideration of this bill at this time?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from South Dakota [Mr. BURKE] to concur in the Senate amendment.

The Senate amendment was concurred in.

## LEVI HATCHETT.

The SPEAKER pro tempore also laid before the House the bill (S. 2975) granting an increase of pension to Levi Hatchett, with a House amendment thereto, to which the Senate disagrees, requesting a conference.

Mr. GIBSON. Mr. Speaker, I move that the House insist upon its amendment and agree to the conference requested by the Senate.

The motion was agreed to; and the Speaker pro tempore appointed as conferees on the part of the House Mr. GIBSON, Mr. DARRAGH, and Mr. KLEBERG.

## HELEN A. B. DU BARRY.

The SPEAKER pro tempore also laid before the House the bill (S. 1037) granting an increase of pension to Helen A. B. Du Barry, with a House amendment thereto, to which the Senate disagrees, asking a conference.

Mr. GIBSON. I move that the House insist on its amendment and agree to the conference asked by the Senate.

The motion was agreed to; and the Speaker pro tempore appointed as conferees on the part of the House Mr. SULLOWAY, Mr. GIBSON, and Mr. LINDSAY.

## FREDERICK O. CLARK.

The SPEAKER pro tempore also laid before the House the bill (H. R. 12148) granting an increase of pension to Frederick O. Clark, with a Senate amendment thereto.

Mr. GIBSON. I move that the House concur in the Senate amendment.

The motion was agreed to.



ENOS G. BUDD.

The SPEAKER pro tempore also laid before the House the bill (H. R. 5254) granting an increase of pension to Enos G. Budd, with a Senate amendment, which was read.

Mr. GIBSON. Mr. Speaker, I move that the House concur in the Senate amendment.

The amendment of the Senate was concurred in.

OSCAR W. LOWERY.

The SPEAKER pro tempore also laid before the House the bill (H. R. 5870) granting an increase of pension to Oscar W. Lowery, with a Senate amendment, which was read.

Mr. GIBSON. Mr. Speaker, I move concurrence in the Senate amendment.

The amendment of the Senate was concurred in.

Mr. HILL. Mr. Speaker, it was my pleasure on Wednesday afternoon of this week to give an explanation of the Fowler bill in the city of New York at the request of the Associated Savings Banks of the State of New York. I have been requested by a number of members, both on the Democratic and Republican sides of the House, to have that explanation printed in the RECORD. The remarks relate wholly to the bill now pending before the House, and I ask unanimous consent that they be printed in the RECORD.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent to incorporate in the RECORD remarks upon the Fowler banking bill. Is there objection?

Mr. RICHARDSON of Tennessee. I did not understand what the remarks were.

Mr. HILL. I stated that I had on Wednesday of this week given an explanation of the Fowler bill to the Associated Savings Banks of the State of New York in the city of New York, and did so at considerable length. I explained it as plainly and as briefly as I could. I have been requested by members on that side of the House and this side to give that explanation to the House. I do not care to take the time of the House to do it, but ask unanimous consent to print it in the RECORD. The remarks relate wholly to the bill reported by the Committee on Banking and Currency, and to no other subject whatever.

Mr. BARTLETT. What was the request? I have just come in.

The SPEAKER pro tempore. The gentleman asks unanimous consent to insert an explanation of the Fowler bill in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The address is as follows:

ADDRESS OF HON. E. J. HILL, MEMBER OF CONGRESS FROM THE STATE OF CONNECTICUT, DELIVERED BEFORE THE SAVINGS BANKS ASSOCIATION OF THE STATE OF NEW YORK AT THEIR ANNUAL MEETING HELD IN NEW YORK CITY WEDNESDAY, MAY 7, 1902.

MR. PRESIDENT AND GENTLEMEN: When the Japanese worshiper goes to the Buddhist temple in the city of Narra, in Japan, he has his prayers printed on slips of tissue paper, and, wetting them in his mouth, he throws them at the idol.

If they stick he goes away happy, believing that the prayers are answered.

So I am here to-day to fling some thoughts at you from this manuscript, in the firm belief that if I can make them stick in your memory somewhere and somehow the answer will come in a sounder currency and a better banking system for our beloved country.

My subject will be House bill 13363, entitled "A bill to maintain the gold standard, provide an elastic currency, equalize the rates of interest throughout the country, and further amend the national banking laws."

While we may not all agree concerning every feature of this measure, of one thing I am sure—that, representing as you do more than 2,000,000 depositors in this State and over a billion in amount of the savings of your people, you not only strive to guard with jealous care and keep in perfect safety the trusts committed to you, but when the savings of the past are called for in times of stress and sore necessity your duty and your pride as well will lead you to meet those calls with money that is good the world around and with the highest purchasing power everywhere.

In one respect you are the eyes and ears and brains for nearly one-third of the population of this State.

So far as deposits are made for investment purposes, they are a tribute to your sagacity, and their great increase a testimonial to the confidence which is placed in you; but the weekly savings which are intrusted to you represent the vigor and strength of active life which are stored and held till age and weakness make their use imperative, and any shrinkage in the purchasing power of the money which measures these means just so much less of comfort and so much more of deprivation when old age comes.

It is therefore to the everlasting credit of the mutual savings banks of this State, that when the kind of money in which those deposits should be paid became a disputed political question in '96, you promptly declared "that in our judgment the future prosperity of the country and the welfare of the people demand

not only that the gold standard shall be maintained, but the currency system now in use shall be so changed and remodeled as to meet and adapt it to the increasing needs of commerce, and equal in security and credit with the best in circulation by any of the civilized nations of the earth."

In the House of Representatives the Committee on Rules often bring in a rule that a certain subject shall be made a "continuing question until disposed of," and I take it that this resolution was one of that kind; that what you said in 1896 you mean to-day, to-morrow, and all the to-morrows in the future.

Now let me tell you what has been done to carry that resolution into effect.

Then the only dangerous feature of our currency system was fiat money.

Then we had \$346,681,016 of greenback promises to pay.

Every dollar of it is still outstanding.

Then we had 401,688,649 silver dollars, worth 52.2 cents each, but legal tender for 100 cents.

Now we have 534,606,654 silver dollars outstanding, worth about 41 cents each, and are steadily coining a million and a half a month, and have been doing so from that day to this, and, unless legislation is had forbidding it, will continue to do so till the aggregate will be 570,000,000.

Since you passed your vote not one dollar of the demand notes has been canceled, and no provision whatever has been made for maintaining the parity of our enormous mass of silver. Indeed, so far as legislation is concerned, barring the right to issue 3 per cent certificates of indebtedness given in the war-revenue act, the Treasury Department has less power than it had prior to the act of March 14, 1900, to maintain the parity with gold of all forms of money.

That act, in its first section, did declare that 25.8 grains of gold, nine-tenths fine, should be the standard unit of value, but in its last section it proclaimed Senatorial faith in international bimetallism.

It did increase our gold reserve from one hundred to one hundred and fifty millions; but where, under the old law, all of it could, in the discretion of the Treasury, be used before the signal of distress in the shape of bond issues was put out, now such use is limited to fifty millions, and I need not say to a convention of bankers that a reserve which can under no conditions be used is a delusion and a snare.

It did, perhaps, strengthen the position of the greenback by restricting to this one form of currency all of the powers which the Treasury before possessed to maintain all our money at parity with gold, but in so doing left a much larger amount of silver stark naked and alone to maintain itself by use, with the confidence of the people as its only redeemer.

I take the position here to-day that the United States has no more right to put in circulation any form of legal-tender money which it will not redeem in the money of the standard which it has itself proclaimed than an individual has to issue his note with the deliberate intention of defaulting in its payment.

No good reason can be given why the greenback, which is all fiat, should be redeemed in gold, and the silver dollar, which is more than half fiat, should not be also.

Indeed, the only excuse—for there is no reason—which can be offered is that it would be dangerous, and that it would increase the so-called "endless chain," and so prove a burden which the Treasury could not carry.

The claim refutes itself, for the silver dollar is a legal tender for all dues to the Treasury, and Hon. Lyman J. Gage, who filled the position of Secretary of the Treasury with an ability equaled by few men in our country's history, told the simple truth when he said:

The Government might just as well face the redemption at the front door as to delay it until it must take it under the revenue laws at the back door.

The danger is ever present in our financial system, and it is far safer to find it out and be prepared for it, than it is to ignore it and have it find us unprepared, as it did 1893.

God, in His goodness to us as a nation, has given us splendid crops and an abounding prosperity, and the miner, with his pick and shovel, has more than doubled our stock of gold since then, and so shielded us from the otherwise inevitable result of our foolish financial policy; but Congress has had little to do with either of these causes, and, indeed, so far as effective financial legislation is concerned, has been practically content to let things drift, and will be so content in the future, unless an aroused public opinion shall demand some action or adversity shall come again to compel it.

Do you doubt it?

The late Comptroller of the Currency, in a speech a few days ago, used this language:

The adoption of asset currency would involve the reorganization of the entire banking business of the country, and this, of course, is not to be thought of during times of prosperity. Those things are best done during periods of adversity, when a little uncertainty added to the total can not influence business much for good or bad.

It may be that this is good policy and good politics as well, but I do not think it is either; for when trouble does come, as come it will, the people will hold the party in power to a strict responsibility for failure to prepare for it when they had the opportunity.

Many years ago the wise man said: "A prudent man foreseeth the evil and hideth himself, but the simple pass on and are punished."

I commend this proverb, with all that it implies, not only to those who, having given little thought to the question, are content to "let well enough alone," but especially to those who, fully realizing the situation, are indifferent to it because a Congressional election is approaching. Is the currency system of the United States always to be a political football, only to be kicked back and forth between the parties and, when the game is finished, to be laid away as a trophy of victory, battered and bruised and soiled with the dirt of party conflict?

Three months ago the National Board of Trade recommended "that Congress enact such legislation as may be necessary to put this country on a permanent gold basis," and by specific votes declared that the retirement of the greenbacks and the exchangeability of the silver dollar for gold were essentials to that end.

On the 5th of March the New York Chamber of Commerce, upon an elaborate report prepared by John Harsen Rhoades, Henry W. Cannon, E. H. Perkins, jr., August Belmont, and George G. Williams, unanimously voted that "the first stone in the foundation of the structure of national credit is the inviolate character of its unit of value, and now is the time to complete the act of March 14, 1900," and to that end favored the exchangeability of the silver dollar with gold.

And yet, since the 13th of January, a bill to that end has been upon the House Calendar, and can not be touched because, forsooth, some Republicans who voted for it two years ago now fear that the agitation of the silver question will hurt them in their districts this fall, and some Democrats, who were driven by public sentiment to cast a like vote then, now say that political conditions have changed.

When you add to this the fact that one great committee of the House of Representatives has reported a bill deliberately putting the government of the Philippine Islands into the banking business to maintain the parity of a full legal-tender silver coinage at a ratio of 2 for 1, and that coinage issued with the openly avowed purpose of perpetuating the wage system of the islands on its present silver basis, and then supplement these things by a report of the Senate Committee on the Philippines in favor of the unlimited coinage of a full legal-tender silver dollar on private account as the currency system of the islands, and add to that that this dollar may be coined in San Francisco from American bullion, with the great probability that it will enter into American circulation precisely as the trade dollar did, is it not high time that the sound-money men of the United States should demand from their Representatives and Senators and their President and Cabinet that the overwhelming victories of 1896 and 1900 for honest money and a sound financial system should not be frittered away and go for naught?

Gentlemen, there is no room in a gold-standard system for fiat money.

It must either be paid and canceled or the responsibility for its current redemption squarely assumed by the issuing power. And when the Government does this it, in effect, gives notice to all the world that it will furnish all of the gold required for international trade, for it has no control of interest rates, and can not check demand as a bank can by raising the price of discounts.

With fiat money in circulation there is neither place for nor safety in a bank-note issue "adapted to the increasing needs of commerce," to use the language of your resolution of five years ago, for every bank note practically becomes a sight draft upon the Treasury reserve of gold, and every bank will look to the Treasury for relief in time of panic, as they have been doing for thirty years, even when their notes have not been made redeemable in gold.

The financial barometer of this country to-day is the accumulation of gold in the Government Treasury, and we watch each day for its rise and fall.

Every dollar of it above a fair working balance should be employed in the industries of the country, and is so used by every one of our commercial rivals.

Who thinks of looking at the treasury holdings of any European country to judge of the possibilities of a panic?

It is the business of the banks there to safeguard and keep sufficiently abundant the supply of redemption money. And it should be here, but it never will be till the demand notes of the Government are eliminated from our system.

It is fiat money which has made impossible every scheme for the improvement of our banking system since the civil war.

It was this which paralyzed the excellent plan of Hon. Joseph

H. Walker, for he was compelled to propose a heavy penalty tax upon the deposits of all the banks of the country to force them to maintain the parity of all our moneys, which of course was impossible unless they could control the amount which the Government should issue.

It was this which made hopeless the plans of Carlisle and Gage and the monetary commission, and it is this which complicates the Fowler bill and brings its intrinsic benefits to the country far too slowly for the country's good.

The greenbacks should be paid and the ultimate retirement of the legal-tender silver dollar provided for now and meanwhile made exchangeable for gold.

It could be done, as Mr. Gage said to the Banking and Currency Committee, "without making a ripple upon the financial surface of the country."

He had the courage and power to do it, but Congress would not permit it.

Charles S. Fairchild had the courage but not the power.

If this was done, a bank-note issue redeemable in gold could be provided which would respond to every legitimate trade requirement and by its economy save to the business interests of this country in the next five years more than the amount of the entire volume of the outstanding greenbacks.

Think of the difference between a greenback and a bank note.

So far as the issuing is concerned the greenback has absolutely no relation to trade and commerce, for the Government borrows but never lends, and can not issue currency except to pay an existing debt which represents past consumption, as the greenback represents debt incurred in the civil war.

When the greenback is issued there is no returning stream of assets to provide for its redemption, and it is in essence the equivalent of an individual note perpetually renewed. But a bank lends and is not supposed to borrow except from its depositors, and when it issues its note it swaps its credit for its customers' credit, and at the time of issue receives back something which it can use to cancel its own obligation when it is presented for redemption.

One deals with the past and pays for "horses" which are eternally dead, the other with the future and buys live and productive assets.

Two reasons are given for the continued existence of the greenback:

First. That it is a loan without interest.

Second. The sentimental one that it saved the nation in the civil war and must now be held as sacred as a soldier's grave.

For reply to the first I cite you to the report on the pending bill on page 7, where the Treasury actuary clearly proves that the cost to the Government of maintaining the greenback since resumption in 1879 has been nearly 7 per cent per annum.

For reply to the second I have no recollection that the "gray-back" of the Confederacy had any such effect upon its fortunes, and am therefore compelled to believe that the resources of the North rather than its liabilities were the deciding factor in that conflict.

The fact is that we are flying in the face of the experience of the whole commercial world by maintaining a system of fiat money, and this bill recognizes that and proposes to get back slowly but surely to the solid ground of gold as the legal tender, silver as subsidiary coin, and bank notes as the instruments of trade.

Then deficits may come and surpluses may go, but the money of the people will be unchanged and unchangeable.

Then the ghost of parity will no longer haunt our sleeping hours and the governmental relation to commercial interests will be one of taxation only.

The bill proposes, first, to stop the further coinage of the silver dollar, to use the bullion remaining in the Treasury for subsidiary coin, and when public necessities require more, to begin the recoinage of the dollar into subsidiary.

The committee believe that with our rapidly increasing population the whole amount can in time be converted into change money and held in daily use among the people, and with the greenbacks retired, with no bank notes below \$10 and silver certificates restricted to \$5, it can be safely carried.

It has been strongly urged that the United States should follow the example of Germany and Japan in melting down and selling all of our legal-tender silver which is not in actual circulation, but this means assuming a loss of 59 cents on every dollar so treated, and recoinage means a nominal gain of about 7 cents on every dollar which can be permanently held in circulation.

The difference between the two plans would aggregate about \$300,000,000.

The second feature of the bill providing for the maintenance of the gold standard is the retirement of the greenbacks.

In my judgment this should be by the direct and independent action of the Treasury, for they are a Government debt and in no sense a bank obligation.



The complications which are certain to arise by throwing a part of this burden upon the banks are wholly unnecessary, and there is no essential relation, even in point of time, between the withdrawal of the greenback and the issue of the bank notes, for whenever a greenback is paid, a gold dollar will go into circulation and the bank note is only a credit instrument and not a legal tender; but the committee thought that it would be politically wise to induce the banks to assume the current redemption of such an amount as could not be canceled with the gold now in the Treasury, and in that way divest the Treasury more promptly of its banking functions, even if it did delay the date of their entire payment somewhat longer.

It is proposed that any bank which shall assume the current redemption in gold of greenbacks to the amount or 20 per cent of its capital shall have the privilege of issuing within two years thereafter a like amount of bank notes redeemable in gold over its own counter and at some clearing house or agency in a clearing-house city, and such notes shall not require a previous deposit of bonds and shall bear a tax of but one-fourth of 1 per cent per annum. The greenbacks thus assumed for current redemption will have the indorsement of the separate banks, and each bank must hold itself ready to currently redeem its respective share in gold, either over its own counter or by immediate reimbursement to the Government if redemption is demanded at the Treasury. These greenbacks so assumed are to be finally paid by the Treasury from a fund derived from taxes on all bank-note circulation and the interest on deposits in national banks of all Government funds in excess of a working balance of \$50,000,000, which deposits the bill prescribes shall hereafter be covered by Government bonds at par and shall bear an interest charge of 1 per cent, but no reserve is to be held against them.

Concurrently with the assumption of the greenbacks referred to, the banks shall present an additional 10 per cent to the Treasury for immediate payment and cancellation and receive the gold therefor.

With 65,000,000 greenbacks paid and 130,000,000 assumed for current redemption by the banks, the remaining 151,000,000, less those lost and destroyed in forty years, can easily be met from the reserve fund in the Treasury.

The success of the plan depends upon the willingness of the banks to assume the current redemption of greenbacks to the amount of 20 per cent of their capital.

In the opinion of the committee the inducements are sufficient. What are they?

First. The banks so consenting will have the exclusive privilege of note issue on assets until the entire 130,000,000 of greenbacks are assumed.

Second. An abatement of 1 per cent in the tax upon asset note issues on an amount equal to the greenbacks assumed.

Third. The final redemption of the assumed greenbacks in the inverse order of their assumption, so that the tax abatement remains longest with those who avail themselves of it first.

Provision is made for the change from bond secured to asset note issues, without reference to the present limitation of 3,000,000 per month, and in view of the fact that the present bond secured circulation is over \$320,000,000, there is little question but that 130,000,000 of it would be promptly changed in order to realize the greatly increased profit which this plan would give.

If it was so changed, as I have no doubt but that it would be, the entire volume of the greenbacks would be retired and canceled within twenty-five years, and any increase of the present amount of bank-note circulation would hasten the happy day. Then the grand international choir of England, France, Germany, Austria, Russia, Japan, and last of all the United States, could join in singing the old hymn, "Believing, we rejoice to see the curse removed," and so far as the great powers of the world are concerned, fiat paper money would be dead and buried.

#### ASSET NOTE ISSUES.

You have already seen that the bill involves a change in our note-issue system.

Seven years ago, when I entered Congress and was appointed by Mr. Reed as a member of the Banking and Currency Committee, I was a sincere and enthusiastic advocate of a bond-secured currency and an independent bank system.

Persistent inquiry, constant study, and patient investigation have brought me squarely to a belief in asset note issues and branch banks, and, I believe, will bring any man there who will pursue the subject with an open mind.

I declare it as my honest belief, as a bank officer with a modest interest in the game, that the sole stake which the banks are now playing for, in dealing out bank notes, is the profit on the bonds, and that not a single dollar of the three hundred and twenty millions circulation now outstanding remains out with reference to any commercial transaction. How could it be otherwise, in view of the fact that the profit on such circulation, even when all of it is loaned all of the time—which, you know, is impossible—is, in

a 6 per cent locality, but two-thirds of 1 per cent when based on 2 per cent bonds, one-sixth of 1 per cent on threes, one twenty-fifth of 1 per cent on short fours, one-half of 1 per cent on fives, and a loss of about one-fifth of 1 per cent on long fours, and the additional fact that at least \$32,000,000 is locked up in premiums when it should be available for commercial purposes. As the national banking system was instituted for the purpose of making a market for Government bonds, it is only fulfilling the plans of its creator; but conditions have changed in forty years, and there is no reason now why \$110 of capital should be locked up in bonds in order to put \$100 of notes into circulation.

Over against a bond speculation and a possible two-thirds of 1 per cent profit on circulation this bill gives an asset note issue of 60 per cent of the capital, with a tax of one-fourth of 1 per cent on the first 20 per cent and 1½ per cent tax on the other 40 per cent, and a profit to the banks above all expenses, taxes, interest on redemption funds, cost of carrying greenbacks, etc., of at least 4½ per cent, or a corresponding reduction of interest rates to the country, or, preferably, a fair division between the two.

On the three hundred and twenty millions outstanding it means a gain to somebody of more than ten millions annually, and a very much larger amount, proportionately, in those portions of the country where higher interest rates prevail.

There is but one question concerning it. Is it safe?

If three billions of deposits are safe, the three hundred millions of asset notes would be, for they would be controlled by the same men and would have a prior lien upon the assets.

The fact is that when anyone suggests asset note issues we at once recall the days of "wild-cat" banks and "red-dog" bank bills, with banks started at will under varying State laws or without any law or supervision or responsibility.

Under the provisions of this bill a board of three comptrollers will pass upon the charter; the capital stock must be fully paid in; a rigid Government supervision is provided for; no issues beyond the amount of the capital are permitted under any conditions, and none above 60 per cent without special approval of the comptrollers; all notes are redeemable in gold; a 5 per cent redemption fund must be deposited with the Government in advance; 5 per cent more is added to it from taxes on circulation; a special emergency tax of 1 per cent on all circulation annually is authorized, if necessary; a first lien on all assets is given; the double liability of the stockholder is continued, and, best of all, prompt and frequent redemptions are compelled in district clearing houses or redemption agencies, where each bank must make provision for redemption of its notes satisfactory to the clearing house as well as to the board of control before it can take out any notes for issue at all.

The records of the Treasury show that a tax of twenty-two one-hundredths of 1 per cent on circulation laid annually would have paid in full every note of every failed bank from the organization of the national banking system to this day, and the margin of safety in the tax prescribed here is nearly ten times greater than that, without any reference to the 5 per cent redemption fund.

In my opinion it is safe, far safer than the bank-note system of any other country, and fully as safe as the present bond secured bank note, for I do not believe that a single dollar in either case could ever be defaulted.

It is feared by some that the withdrawal of bond security would disastrously affect the price of bonds. Not so at all; for, even if every note so secured was changed as rapidly as possible under the provisions of the bill, it would take five years, and, including bonds to secure Government deposits, the requirements of the sinking fund would, in that time, take all thus held, saying nothing of saving banks' and insurance companies' purchases at any reasonable price. Objection is also made that asset note issues by large banks under restrictive legislation or monopoly privilege in other countries afford no criterion by which we can judge of such note issues here, where we already have more than 4,000 national banks and an open field for more.

Personally, I would have preferred to have limited the issue privilege to banks of not less than half a million of capital, or, better yet, to one large bank in each redemption district, or, best of all, to one bank in New York City; but none of these propositions is politically possible to-day, and can only become so by a process of evolution, a process which we must admit to be in excellent working order just now.

The principle of asset banking is equally applicable to large or small banks.

Both can be made equally safe.

The difference between the two is that the large bank is an ever-present help in time of trouble, and the little one is apt to be an ever-present trouble when help is needed.

Of course, economy of management is found in the large bank rather than the small one, but if we are to be controlled by our prejudices we must be willing to pay for the privilege.

With an increased profit to the banks shown, and with safety

provided for, the unquestionable advantages to the people of an elastic bank-note issue are so great that it would be presumption to discuss them before a bankers' convention.

#### BRANCH BANKS.

There is one other feature of the bill—and, I think, the most important one—which I wish to bring to your careful attention, and that is branch banks.

Whenever a man finds himself at variance with the almost universal opinion of mankind it is high time for him to begin to doubt his own infallibility, and this is precisely the position in which the opponent of the branch-bank system is placed to-day, for, after a careful examination, including the laws of 40 countries as compiled by Comptroller Eckels in 1896, I can find no government in the world where branch banks are not permitted except our own; and even here they are excluded by the laws of only 20 States and by the national-bank act, and even that act permits them where State banks come into the system with branches already in existence. The United Kingdom has 116 banks, with 5,515 branches, in a territorial area less than half the size of Texas, 3,517 of them having been established in the past forty-four years.

France made it a condition precedent to the extension of the charter of the Bank of France that a branch should be established in every department of the Republic. Europe and South and Central America are solidly in favor of the system.

Voyaging around the world last year, I found branches of British banks throughout the Philippines acting as commercial drummers for English trade and financial agents for our Government at the same time.

German, English, Russian, every one our commercial rivals in the Orient, but not an American bank and hardly an Americanship.

All through Japan, English, German, and Russian banks are taxing American trade by excessive charges for exchange on London, and from Vladivostok to Moscow, straight through Siberia, German branch banks and department stores are laying foundations for the future trade of what is sure to be one of the great markets of the world.

In the city of London alone there are 58 incorporated banks, with \$453,000,000 of capital, and one hundred and seventy-six millions of surplus and undivided profits employed in international trade, with 2,253 branches scattered all over the world, extending English prestige and developing English trade everywhere, and we pay tribute to them.

The Committee on Banking and Currency could see no reason why American capital and American enterprise should not do its share in promoting American trade in other lands, and long for the time when American national banks will fly the American flag and care for American interests in all the great capitals of the world.

The bill limits the foreign-branch privilege to those national banks which have a full paid-up capital of \$5,000,000, for, if we are to enter upon this work, it should be in such a way as to command the respect and confidence of all, and so insure success.

The field is the world, and duty and self-interest bid us go forth and take it, for the time is soon coming, if it is not already here, when we must fight for markets abroad or find stagnation at home.

But, important as this is, the establishment of a domestic branch banking system is still more worthy of serious consideration.

In 1901 the average capital and surplus of national banks was \$880,314,389.96, and the current expense of doing business, not including taxes, was \$72,043,890.98, or about 8.07 per cent on the capital employed.

The average loans for the same year were \$2,881,594,312, and the percentage of expense was 2.5.

In Germany the Imperial bank, with average loans of \$138,030,935, had a percentage of expense of 2.3, maintaining 330 branches.

The Bank of France, with 392 branches and average loans of \$175,040,000, had a percentage of expense of 1.9.

When we consider that both of these institutions perform much of the work transacted by the Treasury here, and, in addition to this, that the Bank of France is compelled by law to discount notes as small as \$1 in amount, which adds greatly to the expense account, the difference in cost of maintenance of the branch and independent systems is plainly seen.

The bank loans of the United States on June 29, 1901, as shown by the Comptroller's Report, aggregated \$6,491,630,743, and if the economy of the French system could be applied to this business the banks or the people of the United States would save in a single year \$38,949,784.45.

I presume many of you will think that this would be impossible in this country, and I thought so, too, until I procured from the Comptroller's office the loans and expenses of banks, and demonstrated conclusively to myself that a thoroughly developed branch-bank system, with large parent banks, would make even greater economies possible.

First, let me give you the relative expense of bank management

to loans in different parts of the country by grand divisions, from September, 1900, to September, 1901:

	Average loans.	Expenses, not including taxes.	Percentage of expenses to loans.
New England States.....	\$416,335,831	\$9,025,653	2.17
Eastern States.....	1,240,251,875	29,285,344	2.36
Southern States.....	290,989,403	8,441,336	3.70
Middle States.....	769,921,542	20,300,994	2.64
Western States.....	126,856,280	5,114,780	4.12
Pacific States.....	64,786,931	2,081,549	3.23

This did not entirely satisfy me, so I tried another plan. I compared the 10 largest banks in New York City with 10 fairly representative New England banks of \$100,000 capital each, and 10 representative banks in Iowa and Nebraska of \$50,000 capital each, and 10 representative national banks of \$25,000 capital each, in different parts of the country, and found this surprising result:

	Average loans.	Expenses, not including taxes.	Percentage of expenses to loans.
The 10 largest New York City banks.....	\$370,273,620	\$6,228,429	1.68
Ten representative New England banks of \$100,000 capital each.....	2,244,664	88,418	3.94
Ten representative national banks in Iowa and Nebraska of \$50,000 capital each.....	1,387,803	71,270	5.33
Ten representative national banks of \$25,000 capital each in different parts of the country.....	448,068	31,382	7.00

So that, if it were possible to conduct all of the banking business of the United States on the same relative basis of expenses to loans as obtained with the 10 largest banks in New York City last year, the annual saving to either the banks or the borrowers or both would be \$53,231,172. Of course, I do not assume that this could be done, but I do believe that the twenty-five and fifty and even the one hundred thousand dollar banks could all be converted into branches of large and strong institutions with a great saving to the people and profit to the stockholders.

It is wholly useless to make comparisons of interest rates between this and other countries to show the greater economy of the branch-bank system, for like differences will be found between countries where the system is the same, and interest rates depend largely on conditions in no way connected with expense of management; but that the expense account is a very important factor in effecting the general result is clearly shown by the strenuous claims put forward by the independent banks that they could not compete with the branch system, and therefore that the existing banks would be driven out of business.

I admit that in many cases this would be true, but in the end it would mean the survival of the fittest and result in inestimable advantage to millions of borrowers who have a right to have their welfare considered in framing legislation.

And I know of no reason why a bank should be restricted to one place of business any more than an insurance company, for a fair distribution of risks is just as essential to safety in one case as in the other.

But I do not believe that the stockholders of any bank which has a reason for existence would suffer by the change, for every such institution well established could enlarge its field of work without a proportionate increase of expense.

The process is going on every day now, on the "community of interest" plan, and it is far better to have it done under the law than outside of it.

A few days ago I sold some stock in a Kansas bank at 125 which for the past three years has been unsalable at par.

It was bought by the managers of a Missouri bank, and the organization will hereafter be to all intents and purposes a branch of the larger institution.

The necessities of the community were greater than the limited capital of the little bank could meet and the expense of management consumed the profits.

Now, all the legitimate wants of that vicinity will be met by the aid of the larger bank, and the increased patronage and reduced expenses will fully justify the price paid for the established business and unused good will, and all parties will be benefited.

On the other hand, all through the manufacturing towns of the East banks have been capitalized beyond the normal necessities of the places where they are located to meet the wants of one or more factories there and not violate the law concerning the 10 per cent limit and single-name notes bought "on the street" have absorbed the surplus funds at rates utterly ruinous to the dividends of the country banks.



In the West and South, where bank capital is limited, an expensive system of rediscounts compels heavy rates to borrowers. A well-regulated branch-bank system would adjust itself to these conditions, and not only provide a better distribution of loanable funds, but with like conditions of security and credit is sure to result in lower and more uniform interest charges.

This has been proven beyond dispute in Canada, Great Britain, France, and Germany.

How is it in this country? As shown by the Comptroller's report for 1899, the average discount rate of national and State banks was:

	National banks.	State banks.
	Per cent.	Per cent.
New England.....	4.7	5.2
Southern.....	7.4	7.4
Middle West.....	5.8	6.8
Western.....	8.9	10.1
Pacific.....	7.8	7.3

Every banker here knows that the difference between the rates received by the State and national banks in the same locality is due to the more conservative character of the national-bank loans caused by the restrictions of the law; but he knows also that the great difference in national-bank rates of 4.2 per cent between New England and the Western States is due to an unequal distribution of capital and small independent banks operated at large expense, both of which a well-regulated branch-bank system would correct, as it has done in Canada, where, from the Atlantic to the Pacific, discount rates vary less than 2 per cent.

The bill does not provide for speculative branches, opened here to-day and there to-morrow, but specifies that in each case where a branch is instituted the articles of association shall be amended upon the unanimous vote of the board of directors, and then only when approved by the board of comptrollers in Washington.

Under these circumstances how absurd it is to talk of lack of local interest and refusal to aid in development of the towns where branches are and to fear that the parent bank will suck deposits from the branches and give back nothing in return.

Was it for this or the reverse of this that the French Parliament compelled the Bank of France to establish branches in every department?

Is it to aggrandize London or to build up the colonies and so make money for themselves that the British joint-stock banks have followed the English drumbeat around the world?

Do independent country banks send their funds to their reserve agents at 1½ or 2 per cent when good loans are offered at home at 5 or 6 per cent?

Men do not conspire against their own welfare, and to claim that the interests of the permanent customer in the country will be sacrificed to the temporary needs of the city speculator is contrary to the experience of the branch system everywhere.

Indeed, Mr. E. S. Clauston, the general manager of the Bank of Montreal, in a reply to Hon. J. H. Walker's remarks before our committee, says:

Mr. Walker's fear that the customers of a country branch are in times of stringency sacrificed to the necessity of the parent institution is a phantom of his imagination, for the loans of a branch being less liquid, the knowledge of the difficulty of realizing them and the small proportion they bear to the whole amount leaves them practically undisturbed in the acutest panic, and their only knowledge of a stringency is imparted through the medium of newspaper articles.

#### NO BANK MONOPOLY.

It will not do to cry "trusts" and talk of bank monopoly as an argument against this bill, for its very purpose is to strip one man of the power which he now has to paralyze the industries of the land at will, and that man, the Secretary of the Treasury, controlled by party politics.

I can conceive of but one money trust in a country as large as ours, and that is to have all of the currency issued by the Government on the Populist plan.

The very object of this measure is to get as far away from that as possible; to divest the Government of all banking functions; to put the money taken for taxes at once into industrial use; to make the gold standard a reality and not a dream, by compelling gold redemptions by the banks from their own reserves instead of at Government expense, and lastly by taking the whole banking business out of politics by putting it under the supervision of a board of three comptrollers, appointed for periods of twelve years each, with one man's term expiring each four years, so that no Administration can destroy their influence or prestige by packing it with ignorant or inexperienced men, or using it as a headquarters for future political campaigns.

#### A CHANGE NECESSARY.

And now as savings bank managers and investors in Government bonds, as officers and stockholders in national banks, what is to be your policy in the future?

That some change must be made in our note-issue system is plain to every thinking man.

If the character of security is to be changed, admitting the bonds of States and cities, it only adds to your troubles by bringing another buyer into the field and lessening the returns from your investments.

To longer depend on Government bonds as a basis for circulation is impossible, for the requirements of the sinking fund will soon exhaust the supply, and the increasing premium is even now forcing the withdrawal of circulation as fast as the law permits.

There is no probability whatever of bond issues in the future, for whatever else of good or ill came to us from the Spanish war, it demonstrated as never before that the possibilities of taxation in this country have hardly been touched.

It is a bit of unwritten history of that war that at its beginning Secretary Gage intended to issue but \$100,000,000 of bonds for immediate contingencies, and to rely upon taxation for funds to carry it to a successful conclusion.

He was overruled by those who did not realize as he did the resources of this great country, or who lacked the faith which he possessed in the patriotism of the people.

As a result, two hundred millions of bonds were issued, of which one-half are still outstanding, on which we must continue to pay interest till 1908, or buy them in at heavy premiums.

Meanwhile the money which they represent lies idle in the Treasury.

A few days ago I requested the Treasury Department to make up a balance sheet of receipts and expenditures as they would have appeared from March 31, 1898, to March 31, 1902, if no bonds at all had been issued, and if the Treasury had availed itself of the power given it under the war-revenue act to issue certificates of indebtedness at 3 per cent, payable within one year. It is as follows:

	Receipts.	Expenditures.
Quarter ended June 30, 1898.....	\$97,407,328.04	\$140,009,448.89
Fiscal year ended June 30—		
1899.....	515,960,620.18	605,072,179.85
1900.....	537,240,851.89	487,713,791.71
1901.....	587,685,337.53	509,967,353.15
1902.....	419,002,879.50	357,844,901.97
Nine months ended Mar. 31, 1902.....		
Available cash, exclusive of \$100,000,000 gold reserve, Mar. 31, 1898.....	126,166,934.78	-----
Proceeds of 3 per cent certificates of indebtedness, act June 13, 1898.....	100,000,000.00	-----
Redemption of 3 per cent certificates with interest for one year.....	-----	103,000,000.00
Transfer of gold to reserve fund under act Mar. 14, 1900.....	-----	50,000,000.00
Available cash, exclusive of \$150,000,000 gold reserve, Mar. 31, 1902.....	-----	159,856,285.35
Total.....	2,413,463,960.92	2,413,463,960.92

It shows that, starting with the cash on hand and adding proceeds of the certificates, we could have paid from taxation alone the entire expenses of the four years, amounting to \$2,100,607,675.57, retired all of the certificates with a year's interest added, placed fifty millions in the gold reserve, as we have done, and on the 1st of April this year found the Treasury with the comfortable sum of \$159,856,285.25 on hand and the country ready to repeal all war taxation, and all this without any bond issue whatever.

Our past experience will fix our future policy, for the power to issue one-year certificates still remains, and with our rapidly increasing wealth and almost limitless taxing power the necessity for greenbacks and long-time bonds is passing away, never, I trust, to come again.

Something, then, must be done or our bank-note circulation will soon disappear.

It is for you and such as you to say what legislation shall be enacted.

The Committee on Banking and Currency do not claim that this bill is perfect or that the individual members all agree as to every detail of it, but they are a unit in the firm belief that the principles upon which it is based are everlastingly right, and they ask your cooperation and the kindly criticism of every sound-money man in the United States in what they believe to be the patriotic work of making the monetary system of our beloved land the best which the world can show.

#### SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3864. An act to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras—to the Committee on Interstate and Foreign Commerce.

Joint resolution (S. Res. 95) providing for the printing of 17,500 copies of Bulletin No. 24, Department of Agriculture, entitled "A Primer of Forestry," for the use of Congress and the Department of Agriculture—to the Committee on Printing.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. KNOX, for ten days, on account of important business.

Mr. GIBSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 20 minutes p. m.) the House adjourned.

## EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Civil Service Commissioners, transmitting information in response to inquiries of House resolution of May 1, 1902—to the Committee on Reform in the Civil Service, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Chief of Engineers, approved by the Secretary of War, recommending that Lieut. Col. W. H. H. Benyard, Maj. F. A. Mahan, and Capt. Charles H. McKinstry be relieved of certain disallowances—to the Committee on Appropriations, and ordered to be printed.

## REPORT OF COMMITTEE ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. NEVIN, from the Committee on Claims, to which was referred the bill of the Senate (S. 3237) to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, etc., reported the same without amendment, accompanied by a report (No. 1940); which said bill and report were referred to the Private Calendar.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 13063) granting a pension to Julia B. Shurtleff, and the same was referred to the Committee on Invalid Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURTIS: A bill (H. R. 14305) making an appropriation for the support of the W. T. Whitaker Orphan Home, in the Indian Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 14306) providing for record of deeds and other conveyances and instruments of writing in Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. WHEELER: A bill (H. R. 14307) authorizing the Cairo and Tennessee River Railroad Company to construct a bridge across Cumberland River—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14308) authorizing the Cairo and Tennessee River Railroad Company to construct a bridge across Tennessee River—to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS: A bill (H. R. 14309) granting a pension to Benjamin B. Eyre—to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 14310) for the relief of William L. McClure—to the Committee on War Claims.

By Mr. BULL: A bill (H. R. 14311) granting an increase of pension to Gilbert A. Kenney—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 14312) granting an increase of pension to John W. Huckelberry—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 14313) granting an increase of pension to Thomas Cassidy—to the Committee on Invalid Pensions.

By Mr. COOMBS: A bill (H. R. 14314) granting an increase of pension to Alden Youngman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14315) granting an increase of pension to Edward Straub—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14316) granting a pension to C. B. Hart—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 14317) granting a pension to William Winkleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14318) granting a pension to Lucy S. Galaspy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14319) for the relief of William Hayes—to the Committee on War Claims.

Also, a bill (H. R. 14320) for the relief of James Trotter—to the Committee on War Claims.

By Mr. GORDON: A bill (H. R. 14321) granting a pension to Mrs. Harriet Fisk—to the Committee on Invalid Pensions.

By Mr. HENRY of Mississippi: A bill (H. R. 14322) for the relief of Alice G. Boogher, née Newman, and Anna Holmes, née Newman—to the Committee on War Claims.

By Mr. IRWIN: A bill (H. R. 14323) granting a pension to A. Hausman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14324) for the relief of James Trigg—to the Committee on War Claims.

By Mr. JACKSON of Kansas: A bill (H. R. 14325) granting an increase of pension to Mrs. Charles S. Weatherholt—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 14326) for the relief of Samuel B. Bootes—to the Committee on War Claims.

By Mr. MUDD: A bill (H. R. 14327) granting an increase of pension to Marcina C. Gray—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 14328) for the relief of W. P. Hooper—to the Committee on War Claims.

Also, a bill (H. R. 14329) for the relief of Mrs. Bathsheba Gordon—to the Committee on War Claims.

By Mr. SCOTT: A bill (H. R. 14330) granting an increase of pension to John Young—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky (by request): A bill (H. R. 14331) for the relief of the trustees of the Colored Baptist Church of Lebanon, Ky.—to the Committee on War Claims.

By Mr. WARNOCK: A bill (H. R. 14332) granting an increase of pension to George W. Jacobs—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 14333) granting an increase of pension to Joseph S. Wright—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 14334) granting a pension to James Gillen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14335) granting a pension to Chance Miner—to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN of Maine: Petition of 38 master mariners of American merchant marine, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. BELLAMY: Paper to accompany House bill 14116, granting a pension to Joseph A. Lumsden—to the Committee on Pensions.

By Mr. BROMWELL: Petitions of B. Kuhlmann and other distillers of Cincinnati, Ohio, in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. BULL: Resolutions of George H. Browne Post, No. 25, Grand Army of the Republic, Department of Rhode Island, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

By Mr. DEEMER: Resolution of Encampment No. 105, of Wellsboro, Pa., Union Veteran Legion, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolutions of the Republican Woman's Association of New York, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GAINES of Tennessee: Resolutions of the Retail Merchants' Association of Nashville, Tenn., indorsing the Ray bankruptcy bill—to the Committee on the Judiciary.

By Mr. GREENE of Massachusetts: Petition of manufacturing corporations of New Bedford Mass., indorsing the Ray bankruptcy bill—to the Committee on the Judiciary.

By Mr. HAY: Petition of citizens of Lynchburg, Va., in favor of amendments to the bankruptcy act—to the Committee on the Judiciary.

By Mr. IRWIN: Papers to accompany House bill 14325, granting a pension to A. Hausman—to the Committee on Invalid Pensions.

By Mr. KERN: Petition of C. H. Laws and sundry other citizens of Krebs, Ind. T., favoring the passage of the Moon bill, for certain legislation in behalf of Indian Territory—to the Committee on the Territories.

By Mr. LLOYD: Petition of Patton & Truitt and other business firms of Macon, Mo., for reduction of taxes—to the Committee on Ways and Means.



By Mr. MOON: Paper to accompany House bill 1236, for the relief of Alpha Flynn—to the Committee on Military Affairs.

By Mr. PERKINS: Petition of C. B. Ford & Co. and other business firms of Rochester, N. Y., urging the passage of the bill to amend the bankruptcy law—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Paper to accompany House bill for the relief of W. P. Hooper—to the Committee on War Claims.

By Mr. SCOTT: Petition of citizens of Paola, Kans., advocating the adoption of a resolution of sympathy for the Boers—to the Committee on Foreign Affairs.

By Mr. SIBLEY: Resolutions of J. H. Mullin Post, No. 356, of Duke Center, Department of Pennsylvania, Grand Army of the Republic, favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolutions of the United Cloak and Suit Cutters' Association No. 6, of New York City, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNOCK: Resolution of Henry Harriman Post, West Mansfield, Ohio, Grand Army of the Republic, favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 14332, granting an increase of pension to George W. Jacobs—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill 14335, granting a pension to Chance Miner—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 14334, granting a pension to James Gillen—to the Committee on Invalid Pensions.

## SENATE.

SATURDAY, May 10, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

CATHARINE F. EDMUNDS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1172) granting an increase of pension to Catharine F. Edmunds, which was, in line 8, before the word "dollars," to strike out "thirty-five" and insert "thirty."

Mr. GALLINGER. I move that the Senate disagree to the amendment made by the House and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. BURTON, and Mr. GIBSON were appointed.

### PETITIONS AND MEMORIALS.

Mr. SCOTT presented a petition of Pocahontas Lodge, No. 533, Brotherhood of Railway Trainmen, of Bluefield, W. Va., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. BURROWS presented a petition of sundry citizens of Detroit, Mich., praying for the adoption of a resolution expressing sympathy with the people of the South African Republic and the Orange Free State; which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of 374 employees of the Portsmouth Navy-Yard, N. H., praying that some of the proposed new war vessels be built at the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Charlestown, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Concord Division, No. 335, Order of Railway Conductors, of Concord, N. H., and a petition of Tahanto Division, No. 335, Brotherhood of Locomotive Engineers, of Concord, N. H., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. COCKRELL presented a resolution adopted at a meeting of the West St. Louis Turn Verein of St. Louis, Mo., and a reso-

lution adopted at a meeting of the Germania Gymnastic Society of Missouri, expressing sympathy with the people of the South African Republic and the Orange Free State; which were referred to the Committee on Foreign Relations.

Mr. HOAR presented a memorial of the Massachusetts State Board of Trade, remonstrating against the admission into the Union as States of the Territories of Arizona and New Mexico, and praying for the maintenance of the legal-tender silver dollar at a parity with gold, etc.; which was referred to the Committee on Territories.

He also presented a petition of Bay State Division, No. 413, Order of Railway Conductors, of Charlestown, Mass., and a petition of City Point Lodge, No. 507, Brotherhood of Railroad Trainmen, of Boston, Mass., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. ALLISON. I present a concurrent resolution of the general assembly of the State of Iowa, which I ask to be read and referred to the Committee on Interstate Commerce.

The concurrent resolution was read, and referred to the Committee on Interstate Commerce, as follows:

### THE STATE OF IOWA, SECRETARY OF STATE.

I, W. B. Martin, secretary of the State of Iowa, do hereby certify that the attached instrument of writing is a true and correct copy of a concurrent resolution passed by the legislature of the State of Iowa in relation to the Nelson-Corliss bill, as the same appears of record in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of the secretary of state of the State of Iowa.

Done at Des Moines, the capital of the State, April 30, 1902.

W. B. MARTIN,

Secretary of State.

By D. A. HITES, Deputy.

[SEAL.]

Preamble and concurrent resolution in relation to the interstate-commerce law.

Whereas it is generally believed that the effectiveness of the interstate-commerce law has been seriously impaired by certain decisions of the Federal courts, and that the law in its present state is practically inoperative in remedying the evils of the transportation service of the country, which was the purpose of its enactment; and

Whereas a bill, designated as H. R. 8337 and S. 3575, known as the Nelson-Corliss bill, is now pending in the two Houses of Congress to amend the interstate-commerce act, by conferring upon the Commission created thereby additional powers for the purpose of enabling it to enforce the provisions of the act and giving its rulings immediate effect, pending review by the courts: Therefore, be it

Resolved by the senate, the house concurring, That the Senators and Representatives in Congress from this State be, and are hereby, respectfully requested to give said measure careful consideration and to use their efforts in every proper way to secure its early enactment, or the enactment of some other measure which will afford the relief sought.

Adopted April 9, 1902.

Mr. ALLISON presented a petition of the Commercial Club of Muscatine, Iowa, praying for the enactment of legislation providing for the reorganization of the consular service; which was ordered to lie on the table.

He also presented a memorial of the Retail Grocers' Association of Pella, Iowa, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Centerville, Iowa, praying for the enactment of legislation to repeal the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of Lodge No. 138, Brotherhood of Railroad Trainmen, of Eagle Grove, Iowa, praying for the passage of the so-called Foraker-Corliss safety-appliance bill; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the congregation of the Reformed Presbyterian Church of Morning Sun, Iowa, remonstrating against the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of Lodge No. 28, Brotherhood of Railroad Trainmen, of Creston, Iowa, and a petition of Lodge No. 9, Brotherhood of Railroad Trainmen, of Mason, Iowa, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

He also presented a petition of the Equal Suffrage Club of Sheldon, Iowa, and a petition of the Equal Suffrage Association of Des Moines, Iowa, praying for the enactment of legislation providing for the appointment of a commission to investigate the workings of equal suffrage in the four enfranchised States; which were referred to the Committee on Woman Suffrage.

He also presented the petition of Mrs. H. C. Guernsey and sundry other citizens of Bloomfield, Iowa, and a petition of the general conference of the Reorganized Church of Latter-Day Saints of Lamoni, Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Local Unions Nos. 246, 160, 29, 155, 40, 41, 214, 150, 68, 192, 136, 316, 43, 548, 7217, 310, 6303, 299,